INAUGURAL
ADDRESSES.
COLUMBIA COLLEGE
FEBRUARY 1858.

Morinan Lüber

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Mar Granderiew O. Mar. 2 3rd 1854.

Dear Luber, Your letter was ried yesterday evening, and its contents noticed. I shall with pleasure, to the best of my ability, answer your untersociationes. As to your first inquiry, I must say ... That I fear, I shall not be able to give you any information that you could not easily obtain elsewhere. you are aware that when I had occasion . To examine I discuss the Subject of expatriation, I took the position that no Cologen of the U.S. has the sight to expatriate hindely; consequently I have preserved nothing on the affirmatic side of the question; and indeed I have no recollection of reading anything, while mestigating This Subject, which much favois the doctrine of expatriation. The seprences I have are from The reports.

and Kents Commentaries.

You will find the legal authorities on This Subject, Collected and reviewed, in 2 - Thents Come. 48. The legal authorities I cited are, Tallot V. Janson 3 Dal. 188. 1 Pet 15-5 E Mass 461 and, Inglis W. Kustees of the Sailor's Sung harbour, 3 Peters U.S. Sep. 89. These authorities, I think, are very far from upholding the doctrine of expatration In Rawle on the Constitution of the U.S., under The word expalliation" you will find a very excellent article on this Subject. There are other Constitutional works which elis-Cufs this Subject at Some length. I fear that all I have written will benefit you but letter as you probably have already Hammed the authorities I have cited. As to the Second question, if I had Time, I Could andner it more Satisfactorily, as I posess a volume that contains at the con-Statutions of all the States of the Umon, up. to the Spring of 1856. The first constitute of North Car. was framed, as you are aware, by John Locke.

That would not answer. In 1876 this State adoptes its constitution which with a few modifications continues to the present time. Toters for the Senate, are required to be holefsed, withouther County where they bote, of a freehold of fifty acres of land. In Fat the Stairs of Commen, they must hay taxes before they can vote; if the member represents The Country in which the boles S. Isides; but if he sepresents a town the loter must be a freeholder, & also hay laxes. In Ja. all taxes must be haid, before the sugar to vole accrues. Sa. + Del. m. Some cases require the payment of a lax as a prerequeste to woting. Before voting in ch. G. a Colored man is required to be posessed of a freehold estate of the volue of two hundred and of they clot lass one and above all debts + incumbrances charged Marcon. In Com. a Small freshold estate is signed as a qualification for a total, or what is deerned equivalent to it. R.J. squis the pay ment of lages, before woting. Must-also be possed of real estato. Mass. regum, pagemby Taxes as a qualification. Tou sull find their terms me the Constitution of the States to retuch I referen

I Shall be glad indeed if what I have written will be of any Service to you. Terhaps you are thinking of preparing a work on Constitutional law, if So I wish you great Sweats. I Should like to See the new edition of your fathers nork on Civil Stouty + Self Freem Luber, why don't you go mito practice? Fore Certainly are old enough by this time. Have you heard from Buck lately? I Should be glad to see all my old Combridge, Studiestruids once more I Shall remain at home this Summer and probably go to thew Orleans noxt unto, on a speculating scheme, when I return I expect to go into practice Some where in this Country, or father South. Lufer may I not hear from you occomally at last toward be very gretifying to me to have letters from you occasingly Will you be so kind as to Send me your Father's autograph? Send W. Irongs also, if you have any communication of his. .. Yours Respectfully Fel Liber LL.B. Transferen

See law of Solen in regard to naturalization in Plutonch's Lives

See Congressional Document printed by the Senate - 1860 entitled "Compretsory entistment in the Prussian Army"

It-contains all the official correspondence on This subject,

For also aiticle from Mat. Int. pasted in back of "Comp. Entity.

English Maturalization act of 1844 overthrowing doctrine of independent allegant

neglected discipline, with pain were broken. It was painful, but it was proper; and the Government of the College did not hesitate to do it. They had not waited for the last moment, but had already taken such measures as were fitting for the occasion; and when the event took place, they were, so far as it was in their power to be so, prepared for it. It was anticipated that the same circumstances which compelled the removal of the College would eventually enlarge its income. It could not be known when, or to what extent, this enlargement would take place; nor what amount of expenditures might become needful; but it was plain that, after all expenditures, there would yet be an accession to its means. The College felt that it was incumbent on it to improve, if possible, the quality of its usefulness, and certainly its quantity; and it took timely measures to provide for every possible contingency.

The property of the College, it is generally known, is composed of the noble donation, by Trinity Church, of the tract on which the fabric lately stood; and of another tract of land, the gift of the State, formerly known as the Botanic Garden, near the position of the present College.

The first grant was made "to aid in founding, erecting and establishing a college, and promoting the education of youth in the liberal arts and sciences;'

and was upon the condition that the President should be in communion with the English Church, and that certain prayers should be used in the daily service of the chapel. This grant forms the principal part of the active property of the College. Large sums have lately been received from the sale of a portion of the property. A considerable amount of the avails of those sales is required for adequately establishing the institution in the upper part of the city, and for putting the State grant in a condition to produce a reve-The accommodations now in use for instruction are intended to be temporary. The outlay made in preparing them for use has much exceeded what was intended; a heavy expenditure has been incurred in regulating the Botanic Garden, from which an essential part of the future revenue of the College is expected to be derived; this expenditure has absorbed large sums received from the sales of the real estate; and great prudence and economy are necessary to secure the advantages of education, at which the Trustees most anxiously are aiming. These observations, respecting the means of the College, are not precisely in the chronological order in which they should be in relation to the changes made; but, inasmuch as they form the basis upon which the other measures are to be constructed, they are here introduced, that the connection of its action, on those measures, may not be

except in connection with the body, and to regard it as a machine for promoting the pleasures, the conveniences, or the comforts of the latter, might be dissatisfied with a system of education in which they were unable to perceive the direct connection between the knowledge imparted and the advantages to be gained. They hoped that some means might be devised for satisfying, in some measure, this demand; but, in seeking this object, they were admonished, by experience, authority and reason, not to diminish, in the slightest degree, the high value which was placed on the right acquisition of the Greek and Latin Classics. With respect to the establishment of a post-graduate university system in addition to the under-graduate course, they were not prepared to say more, than that they regarded it favorably in those respects in which it might be practicable: but that the design was not free from serious difficulties; that the subject had occupied the minds of learned men in connection with the English Universities, but hitherto without effect; that the Medical and Theological Schools had done much, perhaps all that could at present be done in that direction; but in regard to higher jurisprudence, and the sciences and their applications, much might possibly be done by the College.

The Committee likewise recommended the imme

diate removal of the College; but, although exertions were made to attain that object, they were fortunately, as subsequent events proved, unsuccessful.

The general principle of Collegiate Education having been thus briefly, but decidedly exhibited to the Board of Trustees, and no dissenting opinion having been expressed, it became proper to invoke the advice of the several members of the Faculty, whose acquirements and experience peculiarly qualified them to afford aid at this juncture; and without whose harmonious co-operation with the Trustees no success could be expected in the proposed operations. Most of the Faculty gave written responses to the inquiries addressed to them; and it was satisfactory and gratifying that their concurrence with the views of the Committee, as to the fundamental principles and true ends of education, was entirely unanimous.

The answers of the Faculty to the inquiries made had not, however, been immediate; and, in the meanwhile, a full report was made to the Board of Trustees, by the same Committee, on the 24th of July, 1854, comprehending all the subjects which had been referred to them, and reporting fully the principles which had guided them in the adoption of the plan recommended. That plan, as eventually modified, will soon be explained. It was contained in a syllabus or outline of a statute; and, as the revenues of

The studies denominated Collegiate are well understood. They comprise the various branches known as the Classical, Philosophical, Historical, Belles-lettres, Mathematical, and in some degree Scientific. The latter term, however inappropriate as an exclusive name, has been assumed by that peculiar branch of human learning which comprehends the nature, operation and laws of Matter. That branch has been, and is, perpetually expanding by new discoveries. If it were expected that it should be included, much beyond the elements, in the usual collegiate course, then a useful college education would be simply impossible. There had been indications abroad, that, notwithstanding its evident impracticability, this was expected. It would fatigue you to enter into any detail of the suggestions or discussions on this subject. It may suffice, for this occasion, to say that an effort was made to satisfy, as far as possible, all demands, and that the plan now adopted, and about to go into operation, was upon the whole, after full consideration, regarded as the best which could be fallen upon, for an experiment.

That plan adopts in substance the former collegiate curriculum to the close of the Third or Junior year, with adaptations to the future studies, both sub-graduate and post-graduate. At the commencement of the Fourth or Senior year, the studies assume a

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wider scope, and comprehend a variety of topics. These studies, too numerous to be pursued in one or two courses, even in the most elementary manner, are distributed into three departments, in order that they may be prosecuted with some hope of advantage. Up to this point of college life, the end in view is mainly to discipline and invigorate the mind, and to enlighten and purify the heart. Now, the object is to apply this intellectual light and vigor to the permanent acquisition of knowledge; to emancipate the student gradually from the trammels of catechetical teaching, and to prepare him for the higher and more arduous efforts of self-instruction. With this view, three departments are constructed, which are termed Schools of Letters, of Science, and of Jurisprudence; the first of which has reference to general improvement; the two latter to specific objects, as indicated by their names. On entering the Senior year, each student may select either of these schools. Should he neglect to make a selection, he continues in the Classical or School of Letters.

After graduation, the same schools are proposed to be continued for two years. A reference to the proposed course of instruction will show that they comprehend a large circle of human learning. The instruction in these schools is not to be confined to the graduates of the college. It is open to the whole

LIABILITIES OF NATURALIZED CITIZENS.

The official journal of the 16th instant contains the subjoined communication, addressed by Mr. Secretary Cass to a gentleman of Cincinnati in exposition of the principle announced in his recent letter respecting the liability to military duty of a native of France (notwithstanding his naturalization under our laws) in case of his voluntary return to that Empire:

DEPARTMENT OF STATE,
WARRINGTON JUNE 14 1859

WASHINGTON, JUNE 14, 1859. Siz: In answer to your letter of the 6th instant, I have to inform you that the brief letter from this Department to which you refer, dated the 17th of May last, and addressed to Mr. Felix Le Clerc, was in reply to an application for information, and was principally intended to recommend caution to our naturalized fellow-citizens, natives of France, in returning to that country, as the operations of the French conscription law were not precisely known here, and might bear injuriously upon that class of American citizens. Most of the Continental European nations have a system of military organization by which their citizens are compelled to serve in the army, by conscription, as in France, where the duty is designated by lot, or by draft, as in Prussia, where every person is required to take his turn as a soldier. The condition of American naturalized citizens, returning to their native country, where the system of compulsory service prevails, and who had left before performing such service, has frequently been the subject of discussion with some of the European Powers. Quite recently it has arisen between the United States and Prussia, and the representative of this country at the Court of Berlin has brought the matter to the attention of the Prussian Government. In the instructions which were sent to him, dated May 12, 1859, it was explicitly stated that this Government is opposed to the doctrine of perpetual allegiance, and maintains the right of expatriation and the right to form new political ties elsewhere. Upon this subject it is observed that "in this age of the world the idea of controlling the citizen in the choice of a home, and binding him by a mere political theory to inhabit for his lifetime a country which he constantly desires to leave, can hardly be entertained by any Gor ernment whatever." The position of the United States, as communicated to our Minister at Berlin for the information of the Prussian Government, is that native born Prussians, naturalized in the United States and returning to the country of their birth, are not liable to any duties or penalties except such as were existing at the period of their emigration. If at that time they were in the army or actually called into it, such emigration and naturalization do not exempt them from the legal penalty which they incurred by their desertion; but this penalty may be enforced against them whenever they shall voluntarily place themselves within the local jurisdiction of their native country and shall be proceeded against according to law. But when no present liabilities exist against them at the period of their emigration, the law of nations, in the opinion of this Government, gives no right to any country to interfere with naturalized American citizens, and the attempt to do so would be considered an act unjust in itself and unfriendly towards the United States. This question cannot of cours; arise in the case of a naturalized citizen who remains in the United States. It is only when he voluntarily returns to his native country that its local laws can be enforced against him. I am, sir, your obedient servant,

who have strayed among them, it does not require much observation to detect them, and they should at once be rooted out. This young band, who annually present themselves, asking to be carried through the most critical portions of their lives, and who confidingly throw themselves into the protection of the College; who come, in a measure, divested of the unsleeping and anxious carefulness which has watched them from the cradle up to this period, when they seek to be instructed to walk alone; to go forth from the College walls armed with the panoply of virtue and of learning; to meet the masses of evil which they will be sure to encounter in later life; have a right to all the thought, all the intelligence, and all the experience that can be brought to bear upon their situation. It is true that the period between their entrance into College life and their departure from it is short; but it is the very heart of their life; it is just the period which gives color to their future, and stamps it for good or for evil in this world, and it may be in the world to come. The responsibility which rests upon giving a right direction during this period, is just in proportion to the greatness of the results; and no right-thinking man, whether among the Trustees or the Faculty, can fail to feel the graveness of the charge which is laid upon Whatever other duties may devolve upon the him.

national Intelligencer

WASHINGTON.

"Liberty and Union, now and forever, one and inseparable."

SATURDAY, JUNE 18, 1859.

THE RIGHT OF EXPATRIATION.

The publication of the brief letter in which Mr. Secretary Cass recently announced the practice and policy of our Government in the case of naturalized citizens who voluntarily return to their native country, has attracted much attention, and continues to furnish a topic of discussion to the public press. Though the principle he promulgated is that upon which our Government has uniformly acted in all similar cases, it does not seem to have been every where received with an unquestioning admission of its soundness, while by some of our contemporaries it has been criticised with severity, if not always with the calmness which betokens the sincere inquirer. For a vindication of the prinsiple as thus re-announced, and for an explanation of the motive by which it was prompted, we may refer the reader to a letter (which will be found in another column) addressed by the Secretary of State to a correspondent in Cincinnati.

The exceptions taken to the declaration made by Mr. Cass seem to be generally based on the supposition that it implies some undue concession to what one of his censors calls "the feudal doction of perpetual and indefeasible allegiance." It sethus that the Richmond Enquirer dissents from the conclusiveness of the Secretary's decision in the ollowing terms:

"Under the feudal system which prevailed for a long time in Europe, vasuals, like villeins, though not entirely the same extent, were regarded as appendages of the oil, and the sovereign of the soil claimed their allegimee. If they could escape from the soil they might acept service and enter into the reciprocity of protection and allegiance under another sovereignty. Yet, on their eturn to the former soil, the old allegiance reverted oso facto. This was the arbitrary rule of feudal desposim, in times when no well settled rules of international sage could be appealed to. * * * *

"Juring the present century different Governments av maintained three different rules of principle as re-

a this matter of allegiance.

The doctrine which Great Britain asserted fifty years go is, that allegiance is perpetual and indissoluble. Once a citizen, always a citizen is the doctrine the ractical assertion of which involved that nation in hospilities with the United States in 1812."

"For a long time most of the nations of Continental Europe have acted upon the assumption that allegiance s dissoluble, but only with the consent of the sovereign. and to the extent mat the sovereign may prescribe. Thus the Prussian constitution provides that emigration or expatriation shall be subject to no restriction, except for the purpose of enforcing from each native of Prussia the term of mili'ary service, to which every citizen of the kingdom is liable. Similar legislation has been adopted by France and most of the other Continental Powers.

of the United States is, that each individual citizen may, at his own option, abjure all allegiance to one sovereign, and contract entire obligations of allegiance to another sovereign, provided only that the renunciation and act of naturalization be performed bona fide. With us citizens are naturalized, i. e., native ized, and thus guarantied the full extent of protection against the claims for service or allegiance made by any foreign Government, to which protection any native citizen would be entitled. By obliging a man to 'renounce all allegiance' to every foreign potentate, our Government obliges itself to protect him against every claim to his allegiance which may be pretended by any foreign potentate. Without this there would be no reciprocity of protection and allegiance.

"The cases which now present themselves involve a conflict of laws. The question to be decided is, which law ought to govern, according to the dictates of right and justice? If two nations cannot agree on this point, an appeal to arms is the only escape from submission to wrong on the part of the injured contestant."

Before proceeding to remark upon the general subject in question we may observe that these exceptions, as taken by our Virginia contemporary against the practice of the Federal Government in the premises, do not come with the best possible grace from those whose State laws not only recognise but expressly formalize the very doctrine against which protest is made. For the code of Virginia not only defines the conditions of citizenship in that State, but also provides by statute for its legal relinquishment, thus affirming the legitimate right of the State to determine and prescribe the terms on which emigration may be enjoyed Moreover, in the case of those who are not citizens but subjects in the eye of the law, Virginia, in common with every slaveholding State, has enactments which are material to a just appreciation of the question at issue when considered in all its length and breadth as growing out of the political institutions and social habitudes of different communities.

The Hon. CALEB CUSHING, while acting as Attorney General of the United States during the Administration of President Pierce, was called to discuss the attitude in which the right of expatriation stood under our existing usages and judicial precedents, which, in the absence of any specific legislation on the subject, may be conceived to present the prevailing thought of the nation. In an able paper (see Opinions of the Attorney General, vol. viii., p. 139) communicated to Mr. MARCY, then Secretary of State, he reviews the whole field covered by the topic in hand, consid-

individual is cultivated, not as an instrument towards some ulterior end, but as an end unto himself alone: in other words as an education, in which his absolute perfection as a man, and not merely his relative dexterity as a professional man, is the scope imme diately in view." To add to these authorities would be easy, but is unnecessary.

Looking at this subject from any point, we may safely conclude that the instruction in the College, covering the period of life between boyhood and manhood, and forming the bridge by which we pass from home into the world, is one of peculiar importance. To the College is committed the mind of the future man at this critical time; and it is the proper duty of the College to direct and superintend the mental and moral culture, and to form the mind or man. Moral and intellectual discipline is the object of Collegiate education. The mere acquisition of learning, however valuable and desirable in itself, is subordinate to this great work. Not only is this the peculiar business of the College, but in the College alone, as a general rule, can this work be performed. The design of a College is, to make perfect the human intellect in all its parts and functions, by means of a thorough training of the intellectual faculties to their full development, and, by the proper guidance of the moral functions, to a right direction. To form

ered as a question of American law, and brings to the discussion that critical acumen and exhaustive research for which he is so remarkable in whatever he undertakes to treat. Referring in this elaborate paper to the distinction recognised by our laws, as well those of the Federal Government as of a portion of the States, between citizens and subjects, he remarks that the legal consequences flowing from the status of the latter are essential to a just consideration of the right of emigration or expatriation as assumed by some to possess an existence not only independent of but superior to any legis- ; lative enactments by which it may be sought to restrain its enjoyment. The distinction thus made between those who, in the eye of our laws, are dif-1 ferently regarded as citizens or subjects, is admonitory, he adds, of the candid consideration that may be due to the laws which now exist in some of the countries of Europe in denial of emigration as a natural right.

Those who are so strenuous in contesting the right of other Governments to regulate at their pleasure the conditions not only of citizenship, but also of emigration, seem not to be aware that a question has long been made whether, according to the analogies of law and reason appropriate to the subject, a citizen of the United States has at all times an undoubted right to renounce his allegiance to the Government. The topic has frequently come up for discussion in the halls of the National Legislature, and has as frequently been entertained by the highest judicature of the land, but a clear and authoritative enunciation of the doctrine which should command universal acceptance in the premises has never yet been reached. We propose to review some of the historical incidents involving a consideration of the aspects in which the right of expatriation has been at different times viewed by the different tribunals before which it has been placed in issue.

When in the year 1797 a bill was introduced into Congress forbidding citizens of the United States to enter into the service of any foreign Prince or State in a time of war, certain supplementary sections were appended to it as being deemed expedient for "the due execution" of the neutrality clauses, in which supplementary sections provision was formally made for legalizing the right of expatriation, to the end that, by defining and ascertaining the mode in which a citizen might lawfully dissolve the ties of citizenship, those who sought to become aliens might do so without committing the crime or incurring the penalties speci-

fied by the municipal law enacted for the preservation of our neutral obligations.

By the proposed bill of 1797 it was provided that any citizen might release himself from the obligations of United States' citizenship on declaring, either by verbal statement or by duly certified deeds of writing before the supreme, superior, district, or circuit court, that he "absolutely and en-'tirely renounces all allegiance and fidelity to the 'United States and to every one of them, and by ' forthwith departing out of the territorial limits thereof." "Every such person," it was added, "from the time of his departure, if his renuncia-'tion, verbal or written, as aforesaid, shall have ' been duly recorded before his departure, shall be considered expatriated, and forever hereafter be ' deemed an alien, in like manner and to all intents 'as if he had never been a citizen; provided al-' ways, that he shall not enter into the military or ' naval service of a foreign nation, or become the 'owner or part owner of any foreign privateer or 'letter of marque within one year of his depar-' ture from the United States."

The bill in this shape encountered strong opposition in Congress, and failed to be adopted. While the abstract right of expatriation was pretty generally admitted by those who spoke upon the measure during its pendency, it was held alike inexpedient and extra-constitutional to make any legal provision for the exercise of the right in question—inexpedient because it seemed falsely to imply a disposition among citizens of the United States to shake off the obligations they owed to their country;

**Extra-constitutional Decause it was contended that no clause of the Constitution granted to Congress the power, either expressly or by implication, to pass any such rule or regulation.

Mr. Gallatin, who, as one that had himself expercised the right of expatriation, could not be suspected of a disposition either to contest or limit it enjoyment in the country of his adoption, strenu ously opposed the passage of any law regulating and legitimating what he regarded as a natural right. "He was against going into this business because he thought it unnecessary. He believed the determination of who were citizens and who were not might be safely left with the Judiciary. He had also his doubts whether the United States had a right to regulate this matter, or whether it should not be left to the States, as the Constitution speaks of the 'citizens of the States.'"

How strong was the indisposition of Congress to entertain this proposition, or how cogent was the conviction of a want of constitutional power in the so exquisite an appreciation of beauty in all its forms, material and mental, and so wonderful a power of producing it; nowhere such models of intelligence in every branch of human acquisition and human inquiry, which never have been equalled in after-times, and which serve to show of what the human mind is capable.

Nor were the Romans less wonderful in their peculiar character. Deriving many of their acquisitions from the Greeks, and second to the Greeks alone, they far transcend all other people, and throw all other histories wholly in the shade. To count the gifts we have received from these two nations, whether in their laws, their literature, their customs, their arts, or the precious legacy of the Sacred Scriptures, transmitted in the Grecian tongue, we could not tell where to begin, or where to end. So abundant, indeed, are their productions, so precious their treasures, that the same eulogy, which would elsewhere be extravagance, becomes to them but truth. Never, therefore, may this venerable institution become insensible to the value of classic learning; never may she cease from its copious fountains to draw exuberant supplies; never, never, may she forget that, saving the gift of the Sacred Writings, in these old treasures of Greece and Rome are garnered the most precious stores of deep philosophy, unequal-

premises, may be inferred from their willingness to postpone the subject and to leave its adjudication in the hands of the Judiciary; and that, too, when the Supreme Court of the United States had previously declared the expediency of such legislative interference; for in the case of Talbot vs. Jansen, (3 Dallas, 383,) which must have been fresh in the recollection of Mr. Gallatin, a majority of the Bench had expressed themselves on the topic in terms which could not be mistaken as questioning the admissibility of the doctrine of expatriation considered as an unlimited right of American citizens. Talbot, it seems, had broken the neutrality act of 1794 by sailing from our ports in a cruiser illegally fitted out in the United States, and, on his arrival in the West Indies, had taken an oath of allegiance to the French Republic. By this oath he held himself absolved from his former allegiance to the United States, and thereby released from his obligations to United States law, inco much that he deemed himself no longer amenable to our jurisdiction for any captures he might make II contrary to our neutrality laws. The Supreme Court neither affirmed nor denied the claim of expatriation, as a decision of this point was not essential to the merits of the substantive matter in issue, but Judge Patterson took occasion to say expressly: "A statute of the United States relative to expatriation is much wanted, especially as the common law of England is, by the constitutions of some of the States, recognised and adopted." Judge Iredell expressed himself to the same effect, and distinctly gave it as his opinion that expatriation was not a natural and inalienable right, but was every where held subject to the regulations. prescribed by Government. Yet, in spite of these obiter dicta and of the refusal of the Court to decide the question raised in Talbot's case, Congress determined to pass no legislative act on the subject, thus leaving it still open to doubt and contention.

In the year 1799 the celebrated case of The United States vs. Williams (2 Cranch, 82) was tried in the Circuit Court of the United States at Hartford, Connecticut. As this case figured largely in a subsequent debate in Congress on the question of expatriation, we shall briefly reproduce its main points. Isaac Williams had emigrated from the United States, settled in France, and become a naturalized citizen of that Republic two years before the war broke out between the French Directory and England. Having accepted a commission to cruise in that war under a letter of marque granted by the Republic, he was successful in mak-

ing many captures. On subsequently returning, however, to the United States, he was arrested and put on trial before the Circuit Court of the United States for the district of Connecticut, Judge Ellsworth presiding, on the charge of violating our neutrality law by engaging in hostilities against England, a nation with which the Government of the United States was at peace. Williams was found guitty, fined, and imprisoned, Judge Ellsworth holding that the right of expatriation was not recognised by any law of the land, and he intimated that, so far as there was any law by which to adjudicate the question, it was found in the common law of England, as furnishing a rule for the guidance of our courts, and by which law the right in controversy was explicitly interdicted.

Hence it will be seen that, in the absence of any statutory enactment on the subject, the right of expatriation was involved in doubt and dispute, some affirming that the very absence of any such law left it open for unrestricted enjoyment as a natural and inalienable right of man, while others contended that without the light of law for the adjudication of the question we were constrained to rely entirely upon the precedents of the courts, which, so far as they had made any decision at all, had in the case of Williams pronounced against the alleged right of expatriation as one of the political privileges of an American citizen.

That the denial of such right in a citizen of the United States is opposed to the theory of our Goverament and to the spirit of our Constitution would seem to be made apparent by that provision of the fundamental law of the land which, in authorizing the naturalization of foreigners, assumes the right on the part of the citizens of other States or the subjects of other Governments to release themselves from allegiance to their former rulers, even when, as in certain cases, that right is denied by the law of the country from which the candidate for naturalization may have expatriated himself. It would seem rather inconsistent with reason to maintain that an American citizen is dispossessed of a right of which, as is implied by the Constitution, no immigrant can be stripped by any law, however explicit or ancient, in other countries.

The whole subject, however, was permitted to remain in this unsettled state; nor was any further effort made to give legal precision and sanction to the right until during the Thirteenth Congress, when, in the month of January, 1814, Mr. Robertson, a distinguished Representative from the State of Louisiana, again brought the matter before

the National Legislature, with a view to the legal ascertainment and authorization of the right in question. On a motion by this gentleman to commit the subject to the consideration of a committee, it met with such opposition from influential members, like Lowndes, Calhoun, and Ward, (of Massachusetts,) that the further discussion of the topic was pretermitted by the mover of the resolution, who pledged himself, however, to bring it up again at a future day if circumstances seemed propitious to its favorable reception.

No such opportunity presented itself, in the judgment of Mr. Robertson, until during the Sixteenth Congress, when, on December 15, 1817, he again moved in this matter, at a time when the relations between Spain and her revolted colonies, and the lively sympathy felt for the success of the latter among the constituents of Mr. Robertson, (many of whom were anxious to "expatriate" themselves, at least for a season, in order to join the insurgents without incurring the penalties of our neutrality act,) gave a present interest to the topic, and seemed likely to procure for the proposed measure the consideration so earnestly desired by the honorable mover. The bill reported by Mr. R. provided that when any citizen, by application in writing to the District Court of any district of the United States, in open court, and there to be recorded, should declare that he relinquished the character of a citizen and meant to depart from the United States, he should be thenceforth considered as having exercised the right of expatriation, and as being no longer a citizen of the United States, to which it was added that "such person shall be held as an 'alien forever after, and shall not resume the rights of citizenship without going through the same 'process of naturalization as other naturalized 'citizens."

A long debate ensued on the presentation of this bill in the House of Representatives. The necessity of the measure was argued by its supporters from the refusal of the Supreme Court to decide the matter in the case of Talbot and Jansen, and particularly from what was held to be the "iniquitous" ruling of Judge Ellsworth in the case of Williams. It was contended that room for such doubt, and above all for such "judicial stretches of power," should not be left by Congress, particularly when such legislative interference had been actually invoked by certain members of the Supreme Court in order to remove from a subject so delicate the obscurity in which it was involved. Nothing, it was urged, that can be regulated by legislation

should be left to the discretion of judges, since it is the boast of freemen that they are ruled by laws, not by men.

The opponents of the bill argued against its adoption, not so much by questioning the abstract right of expatriation as by denying the power of Congress to legislate at all upon the subject. The friends of the bill were asked to point out the clause of the Constitution under which they claimed the authority to pass any such act. The power of Congress to enact naturalization laws was urged by the advocates of the bill as necessarily involving or justifying the establishment of similar uniform rules for expatriation; but to this it was replied that a grant of power to effect one object did not also convey a grant to effect a correlative object precisely opposed to that for which provision was explicitly made. The framers of the Constitution, it was maintained, could not be said, by any fair construction, to have provided for the legal diminution of our population in a clause which had its origin and justification in a desire to increase that population. It was also held that Congress had no power to absolve citizens of the several States from the allegiance they owed to their respective States, and that hence the passage of any such bill would either trench upon the reserved rights of the States, or else remain inef. fective and incomplete for all the purposes designed by its advocates. The inexpediency of the measure was also argued, as tending to cumber and put in jeopardy the very right it sought to facilitate and establish. Will not the passage of such a law, it was urged, convert it from a natural to a civil right, and thus place it in the power of future Legislatures to deny it altogether? And, if we follow the example of legislating upon it, can we question to the enactments of foreign Governments, when, in the exercise of the same right of legislation on this same topic, they determine that it is incompatible for the subject ever to absolve himself from the allegiance due to his native land? If, by our own laws, we admit that legislation is lawful in this matter, have we the right in any way to put ourselves in opposition to such legislation on the part of other Governments as, however, we certainly do by our naturalization laws?

Mr. Lowndes, of South Carolina, pronounced the whole measure destitute of any justification in the Constitution, and held that it was not competent for Congress to pass anybill securing the right of expatriation. This opinion, however, did not call the right itself in question, since there are innumerable rights which do not depend upon legisThese strange notions, as we call them, did not vanish with Grecian eloquence, or fall with Roman power. It was in following out such notions that the Alchemists of the Middle Ages kept on searching for the Philosopher's Stone, that great transmuter of all base things into veritable gold. Though they never found the stone, we have this day to thank them for the many valuable discoveries, which they did make, and of which the Chemists of the 18th and 19th centuries were able, to much purpose, to avail themselves.

By these Alchemists Sulphuric Acid was discovered more than a thousand years ago; and to them we also owe Muriatic Acid, Nitric Acid, Ammonia, the Fixed Alkalies, Alcohol, Ether, and many Alloys of the Metals. They accounted for everything in what we would call a supernatural way; they looked upon bodies not merely as inorganic masses, but they taught the presence of a spirit in every combination, and, in accordance with their belief and their teaching, they gave names which still remain in daily use among us. To this we owe such names as Spirit of Wine, Spirit of Salt, Spirit of Ether, and the like. At a later period, Van Helmont, following somewhat in their path, gave to all aeriform bodies the name of Gheist or Spirit, and from which we derive the modern word Gas.

lation, and which therefore do not need to be guarded or defined by legislative enactments. Every body in the United Stases, for instance, admits the right of rebellion against tyrannical and unlawful government; but no one ever thought of passing a law to regulate the exercise of it. In the same manner we may admit the right of expatriation without conceding the necessity or expediency of any legal sanctions to secure it, even had the Constitution conferred the power to do so; but, since the Constitution is silent on this head, it becomes still more obvious that its framers contemplated no legislation on the subject, but intended that it should be left an open question, as a natural right, which needed no limitation or regulation, and, least of all, such regulation as might be prostituted to the violation of our neutral obligations by the facilities and convenient pretexts which a formula of expatriation would afford to those who might be willing to avail themselves of it mercely in order to evade such obligations.

For these and other considerations Congress rejected the bill of Mr. ROBERTSON, and the whole question of the right of expatriation still remains unsettled by any legislative law.

And when we reflect upon the abuses to which such a law (however guarded in its provisions) might be made to minister, it can hardly be a matter of regret that none such is to be found among our statutes. Nor do we see the practical utility of any such enactment, since under our usages the absence of the law in no way affects or inhibits the practical right of emigration, but leaves all our citizens to quit the country without let 'or hindrance, unless, indeed, their designs are known to be hostile to a people with whom the United States are at peace, and in that case no expatriation law should shield them from punishment. We may say, moreover, that, in the light of constitutional law and in accordance with analogical reasoning, any such act for the authorization of expatriation by a simple declaration to that effect seems not only without foundation in the Constitution, but is also directly opposed to the spirit and terms of our naturalization laws enacted according to one of its provisions; for what is the rationale of the Constitution on this point? That the foreigner becomes expatriated the moment he leaves his mother country and reaches our shores? Not so; on the contrary, it holds the consummation of this very right of expatriation in abeyance for a period subject to the will of Congress, and says to the alien that his expatriation was not consummated when he deserted his native soil, but only when he swore allegiance to the United States and renounced that which he formerly owed to another Government. This is the doctrine of the Constitution and of our naturalization laws, which, so far from justifying any provision for expatriation to take effect the moment a person shall declare his intention to leave or shall actually leave the United States, is seen to be in palpable opposition to any such principle; and since by our naturalization laws we do not regard the foreigner as legally expatriated by the mere act of leaving his native country, why should we innovate upon this regulation for the purpose of erecting a different standard in the case of our own citizens, thereby absolving them from allegiance to their own Government the moment they quit the soil and before they have sworn allegiance to any other, leaving them meanwhile without any recognised political authority to which they are amenable?

An expatriation act can provide only for the release of a citizen from his antecedent allegiance; it is unable to invest him with the right of citizenchip in any other country. Of what possible utility, then, could such an act be to a citizen who wishes to emigrate and become a peaceful inhabitant of another nation? The absence of such a law at present lays no restriction upon his liberty of locomotion, and its enactment could confer upon him no privileges in the region to which he may migrate. He must depend upon the local law of the country to which he removes for the enjoyment of a new citizenship, and until such change of allegiance he is to be considered as a citizen of the United States. This, as it seems to us, is the theory of our Constitution and of our naturalization laws, so far as they have any bearing on the question of expatriation. Whether it is the theory of Mr. Secretary Marcy's celebrated Kozsta letter is quite a different matter. According to that State paper expatriation becomes an accomplished fact, not, it is true, by the mere act of quitting one's native country or the country to which one actually owes allegiance, but simply by declaring an intention to become a citizen of the country to which one has recently come. Such, it seemed to Mr. Marcy, was the liberality or the wonder-working efficacy of Republican institutions that a mere intention of living under them procured for an alien absolution from his former allegiance, and entitled him, without incurring the responsibilities of a citizen of the United States, to be defended under certain circumstances by the army and navy of the

substance, in burning, is increased in weight, they still clung to the idea that it lost Phlogiston, though this Phlogiston, they maintained, was possessed of *levity*, and thus made a body lighter. This theory was stoutly maintained for a hundred years, until overturned by the grandest of all Chemical discoveries, that of Oxygen, which was made by Joseph Priestley, on the first day of August, A. D. 1774.

A dispute in the French Academy, between Cadet and Baumé, about the red-oxide of Mercury, led to Priestley's making some researches into the properties of this compound. He concentrated the solar-rays upon the red-precipitate, and preserved the gas which was evolved; he applied a lighted taper to this gas, and from that moment the discovery had been made. According to his own account, it was accident which led to the discovery, but accident only accords such favors to those who deserve them. The man who had discovered nine gases, who had invented all the apparatus necessary to prepare and study them, could well have laid claim to this immortal discovery.

Chemistry, as a distinct science, dates from this discovery. It is nearly of the same age as our Republic, and, in its way, it has made equal progress to greatness. The immortal discoverer of Oxygen sought refuge in this country, and died at Northumberland,

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Union. This general doctrine we confess now, as we did at the time, our inability to establish, either by the Constitution or by any logical argument, and therefore leave it to rest wholly upon the State paper in which it was first announced and defended.

An expatriation act, we may add, which should provide for the release of United States citizenship the moment a man leaves the United States, or files a declaration of his intention to that effect, could have no other consequence than to place him, so far as that law extends, and bating his obligation to the laws of nations, in the condition of an outlaw, without responsibilities to any existing Government, because without allegiance to any. The Constitution, in providing for the naturalization of aliens, has ipso facto suggested the only mode in which expatriation may be naturally and properly consummated; that is, by swearing or otherwise legally assuming allegiance to another country, and placing oneself under the protection of that country; thereby incurring the responsibilities incident to a new citizenship, which then, and not till then, supersedes the antecedent allegiance.

In the case of those who may have originally been native American citizens, and who, after formally abjuring their allegiance to our Government, should return to their native country, it would obviously be competent for the civil authorities to prescribe, as against any other Power, such regulations as might be deemed proper or expedient in the premises. We might elect to treat them as perpetual aliens, or grant them the benefit of our naturalization laws, or declare that their ancient citizenship reverted the moment they returned to our shores. No Government would dispute our authority to regulate this question according to our pleasure, and, though for reasons satisfactory to ourselves we may abstain from passing any enactments on the subject, it seems difficult to understand on what grounds we can deny to other Governments the exercise of a municipal power which is clearly within the competence of every civil authority.

And so in the case of those European subjects who, after assuming a new nationality in the United States, voluntarily return to their native country and find themselves reinvested with their ancient civil responsibilities, there is no "conflict of laws" as is argued by the Richmond Enquirer. It is the municipal law of each country which constitutes the sole and exclusive test by which we are to try the question; and where by the very terms of the question that law is equally supreme within its separate national sphere, there can be no possible con. flict, however contradictory may be its respective provisions in the two countries which sustain within their own limits different civil relations towards the same man. As those relations in either case depend exclusively upon the municipal law of each they are alike incontestible within the territorial jurisdiction of the law as it exists in each.

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WASHINGTON:

"Liberty and Union, now and forever, one and inseparable."

TUESDAY, JUNE 21, 1859.

LIABILITIES OF NATURALIZED CITIZENS.

The discussion raised by the recent letters of Mr. Secretary Cass, defining and explaining the policy and practice of our Government in the case of such naturalized citizens of the United States as voluntarily return to their native countries, and thereby subject themselves anew to the operation of the local laws which existed in the latter at the time of their emigration, affords a striking illustration of the little intelligence or candor which is habitually brought to the consideration of political questions. If it were otherwise we should not be called to witness the periodical conflicts of opinion which occur on nearly every occasion that presents an issue involving the rights, obligations, and interests of those who form the body politic. Where, from the very nature of our institutions, such perpetual appeals are made to the passions and prejudices of the ignorant, we should not perhaps be surprised to find that much misconception comes to exist among those who, instead of thinking and inquiring for themselves, derive their instruction from the appointed leaders and organs of the political party to which they profess allegiance.

During the last few years the civil rights of naturalized citizens within our own limits have formed a leading topic of political controversy, and the party which has most successfully vindicated its claim to be regarded as the peculiar defender of those rights, as conceived by some to be imperilled by the principles of another organization, has perhaps unwittingly encouraged pretensions and contracted obligations which it is impossible to maintain in another sphere of the question. They who in their addresses to naturalized citizens have so vehemently insisted on the civil rights which, in the eye of American law, are possessed, as they broadly assert, "by naturalized and natural-born citizens on a footing of perfect equality," could hardly have been expected to enter into any very accurate analysis of the subject which they were treating more with reference to its temporary partisan effect than to its aspects as a question of practical statesmanship or philosophical politics. Hence we need not be surprised at the shock with which the recent announcement of an established princi-

lius was induced, by the general interest in Galvanism, by the influence of his friend Hisinger, and by his own necessities as a Physician, to make scientific researches; but, after the idea of Chemical proportions was started, he devoted all his energies to Chemistry; he soon put forth the Law of these proportions, and upon that Law he founded all the subsequent experiments and researches of his life. He examined with the greatest care, and by different modes of Analysis, a vast number of Chemical compounds, and was thus led to discover many methods of analysis, which are still pursued. These researches and their results were published in the year 1810. At the time they were carried on, Re-agents were scarcely to be had in Sweden, and Berzelius was compelled to make them for himself; even Alcohol and the most ordinary Acids were prepared in his own Laboratory. The extraordinary spectacle was, at this time, presented to the world, of a Philosopher at work in his kitchen, making researches which were destined to revolutionize Chemical Science, and for which the world could not have adequately compensated him if it had erected for him a Laboratory of solid gold; while by his side, at the same hearth, his faithful servant, Anne, was preparing his frugal meal. He introduced more accurate Balances; the use of smaller amounts of substances for analysis; the lamp which bears his name; plati-

ple of our Government appears to have affected a portion of the Democratic press, in common with a large number of our naturalized citizens, who, lending a too credulous ear to current popular statements of their rights, have fallen into misconsceptions which, however natural, are greatly to be regretted, alike for their cause and their consequences. At the same time it was perhaps to be expected that some among the "Opposition," availing themselves of the apparent inconsistency between the largeness of Democratic promise and the inadequacy of Democratic performance, as understood by many, in the matter of naturalized citizens, should make an ungenerous use of the blunders into which their adversaries have fallen from the use of language so liable to leave erroneous impressions.

Others there doubtless are who candidly believe that the principle announced by the Secretary of State involves some inconsistency, not only with the promises of politicians, but also with the theory of our naturalization laws and the duty of our Government towards such as have renounced their ancient allegiance. To this effect the Pittsburgh Journal, with more of wit than logic, remarks as follows:

"On principle, our Government should either abandon its naturalization laws, or else recognise the naturalized citizen as entitled to all the rights of citizenship. This half-and-half allegiance to two different Governments, this serving at the same time of God and Mammon, is in violation of principle and common sense. Suppose our country and treat Britain, the native country of theusands of these naturalized foreigners, are atwar, and these half-and-half subjects undertake to discharge their duties to both. Must such citizens fight six months in our army and six months in hers? Or must they fight in one and furnish all the information in their possession to the other? Their only choice will be to be shot as cowards or hung as spies."

To a like purport the Cincinnati Gazette discusses the subject more at length in the subjoined argument:

"In the opinion of Mr. Buchanan and his Cabinet we are to understand that a most marked distinction exists between citizens born on our own soil and those of foreign birth who have gone through all the forms of naturalization. The former are to be protected in every lawful act wherever they may go. The latter are recognised as owing a double allegiance one to their adopted country, which is exclusive only so long as they keep within the boundaries of the United State: and one to their former Government, should they venture outside of these limits and put themselves in the way or having this claim upon their services asserted.

"Reason, common seuse, and consistency, on the one hand, are utterly at variance with this theory when viewed in the light of those principles on which our institutions rest. Old precedents, antiquated dogmas of writers on international law, and the constitutional feebleness of timid rulers who fear to assert what any strong Government' may be expected to deny, are, on

the other hand, the only ground upon which the Cass pronunciamiento rests. It is time we were out of this interminable tread mill track of tradition and prescription, manufactured in other times for a different set of men and under entirely different Governments.

"Let us judge these and all kindred matters in the light of first principles, consistently carrying these out to their legitimate results. If we do so we make the rights of citizenship complete in all cases, whether those rights are acquired by birth or by naturalization. National self-respect allows us to recognise no divided allegiance on the part of any one who has been admitted to the rights of an American citizen. Justice to the naturalized citizen likewise requires us to defend our nationality as represented in him wherever he may be, and to assert for him equal privileges and immunities as for the native born. We have no right to stand by the one and to abandon the other. We do a gress injury to the one when we say you may range through the world at will, and the stars and stripes shall be your security and protection, and to the other we guaranty your safety within the limits of these States alone.

"Will our naturalized citizens tamely submit to this indignity? Will the citation of some musty precedent, established by a despotic Government, satisfy them that Democratic Administration is dealing with them in perfect fairness and justice? We should say no, very decidedly."

We must have been little successful in the treatment we have already given to the subject if it is necessary; to point out the fallacy upon which, in our judgment, this argument turns. Indeed, taken in the generality of its terms, it would overthrow the discriminations prescribed by the Constitution of the United States, in limitation of the "rights" conceded by that instrument to naturalized aliens under our own jurisdiction. If there is to be "no distinction between the rights of citizenship, whether those rights are acquired by birth or by naturalization," then it follows that the restriction of our fundamental law which forbids a naturalized citizen to aspire to the Presidency and Vice Presidency of the Republic, and which restrains his eligibility to the Senate and House of Representatives for a period of nine and seven years respectively after he has been placed "on a footing of perfect equality with the natural-born citizen," must be summarily repudiated, because manifestly inconsistent with political "principle and common sense," as now invoked against the ruling of Mr. Secretary Cass. For, according to the logic of these dissentients, it is held impossible to understand "how a citizen can be a citizen for some purposes and not for all, for one place and not for all places."

Now, as it is quite palpable, according to the terms of our Constitution, that a naturalized alien may be a citizen for some purposes and not for all, (eligibility to the Presidential office, for example,) it fol-

pupils, already great and renowned, flocked round him, and he had no occasion to be ashamed of any One day when, in company with Humboldt, Mitscherlich, the two Roses, Wehler, Ehrenberg, and von Buch, he drove out to the environs of Berlin, they stopped to examine a Boulder outside the gate. What a group was standing around this erratic mass! each contributing, of his vast knowledge, to resolve some question connected with its history. Berzelius could give its exact Chemical composition; Mitscherlich apply his Law of Isomorphism; Wehler tell whether any of the Elements discovered by him were contained in it; Henry Rose prescribe the best methods of analysis; Gustavus Rose measure accurately every crystal; Leopold von Buch explain its Geological origin; Ehrenberg find former life in its minutest grains; while the comprehensive genius of Humboldt could sum up the case for all sides, and pronounce a decision to which every one would cheerfully A piece of this Boulder was broken off, and carried to Gettingen by Wehler; it afterwards found its way to this country, and is now preserved at Amherst College.

I have dwelt thus long upon the name and works of Berzelius, because, in speaking of Chemistry, that name and those works are so interwoven with the history of that Science, that neither can be fairly pre-

lows that the first division of conditions pussle finds a ready solution in the home tatement of the facts as they are; and as the who express so much surprise at the discovery that a citizen for one place is not a citizen for all places, are seen to have overlooked some very plain indications when they suggest as presenting a similar enigma the doctrine that a citizen for some purposes is not a citizen for all, it may come to appear that the former proposition is no less true and reasonable than the latter is found to be on a reference to our laws, fundamental and municipal. What, then, is the explanation of the difficulty presented to the understandings of those who are troubled with this vision of "divided allegiance," according to which the same man may be differently treated, now as a citizen of one country and now of another?

We suppose that no one will deny to the Governments of Europe the political right to prescribe such municipal regulations for the observance of their own citizens or subjects as may seem expedient to those Governments. As by our own Constitution Congress, for example, is empowered "to provide for organizing, arming, and disciplining the militia" in such manner as may be deemed proper, so, by virtue of a similar public right, several among the Governments of Europe have assumed to enact military codes under which their citizens or subjects are liable to serve in the army, either by conscription, as in France, or by general draft, as in Prussia. This obligation, defined by the municipal law of these countries, rests upon all their citizens or subjects within the range of that law, and it is as competent for these Governments to determine who shall be regarded as citizens or subjects under the operation of that law, as we assume it to be for ourselves to exercise the same right of determining the obligations of citizenship within our borders.

As no municipal law of the United States can avail to change the municipal regulations which Prussia may enact in organizing, arming, and disciplining her military forces, why should it be held that our municipal laws, defining whom we consider our citizens, should restrain Prussia from exercising the similar right of defining within her own limits the civil liabilities of her subjects. By what right shall we arrogate to ourselves the function of saying to the Prussian Government: "You may regulate your military service according to your pleasure; but if any of your native subjects choose, by emigration, to evade their obligations in the character of Prussians, and to assume, by virtue of

our laws, the character of American citizens, we ld that our municipal law so far supersedes yours within your own jurisdiction that you can no longer claim your antecedent rights in the premises. It is true that we naturalized your subject without any regard to your municipal law in the matter of civil allegiance, because we hold that your municipal law has no force or effect within our dominions; but when we invest your subject with the new character of an American citizen, we demand that the municipal law of the United States should be respected as paramount to the municipal law of Prussia, even within the dominion of the latter. We claim, in a word, that while your laws, as those of an 'effete monarchy,' are null and void within our limits, the enactments of Congress, as those of free and young America, are potent, not only to repeal the 'musty edicts' of Prussia, but also to supersede them on her own soil." Such is the one-sided logic of those who dispute the principle recently announced by Mr. Cass. To state its terms is to refute its conclusions. And the practical consequences which flow from it are equally indicative of its unsoundness. These are well summed up in the following just remarks of the New York Commercial Advertiser:

"The United States would become on this theory a sort of international court of insolvency, where the subjects of all other countries might, by a five years' residence and naturalization, be whitewashed from their allegiance and then return home exempt from all the inconveniences of their original offizenship while enjoying all its immunities and privileges; and vice versa. That is to say, while new farming, no duties are American. That is to say, while performing no duties as American citizens, but employing their time and talents and capital in a foreign land, (that of their birth,) they would be enjoying all the privileges of American citizens and claiming the protection of our flag whenever they deemed those privileges invaded.
"The doctrine laid down by Mr. Cassis, therefore, not

only demanded by international justice and by respect to the laws and sovereignty of Prussia, but equally for to the laws and sovereignty of Frussia, but equally our own protection. It was never intended that our naturalization laws should supersede or abrogate the municipal laws of other sovereign countries. We cannot make laws for the world, but only for ourselves.
And our laws are supposed, while conceding much to
those who may seek a home on our shores, still to protect the country's hospitality from abuse. But any other interpretation than that given to them by any other interpretation than that given to them by the Secretary of State, and by Mr. Marcy when he held that office, and by Mr. Wheaton, a high authority, when Minister to Prussia, such hospitality would be open to the grossest abuse. Many foreigners would find it worth their while to rid themselves of the obligation to military service at home, or free themselves from the eperation of some other municipal law, by a five years' residence and naturalization in the United States, and having achieved American citizenship go back home and snap their fingers in defiance of their own Government and its laws, and at the same time yield no return to the 'Juited States for the invaluable boon thus conferred the Inited States for the invaluable boon thus conferred upon th m.

There , re other fallacies in this argument loses sight of the fact that if such a citizen of the United States is "imp, essed into a foreign military service," it is not as an An erican citizen, but as a Prussian or Frenchmen against who cm an unfulfilled obligation existed at the time he left and at the time he voluntarily returned to his native country. Secondly, under Mr. Case's interpretation of international law, an American citizen can "traverse the world in that capacity," with the single exception named, and without any exception if he left his native land before the age at which that if he left his native land before the age at which that obligation fell upon him, or if he had discharged it before he left. Third, he does not, in the sense in which the word is employed in this case, "owe military service to two countries at the same time." He only "owes" it to his native and not to his adopted land. It is the municipal law of his native land. His adopted country has no such municipal law, and if it had, the original claim, the first mortgage, would have to be satisfied nevertheless, if he chose to go under its operation. Fourth, if the principle for which the opponents of Mr. Cass contend be admitted, its operation could not be confined to a "temporary change of habitation." We have no laws for disfranchising a citizen who may choose to reside abroad for a year, or ten or twenty years. Fifth, a citizen putting himself thus who may choose to reside abroad for a year, or ten or twenty years. Fifth, a citizen putting himself thus voluntarily under the operation of his native country's municipal law is still a citizen. He does not lose his citizenship. He goes where he knows he must pay a debt legally due from him before he became an American; which having paid, he can return and enjoy his citizenship; but that debt he must pay if he goes where the law can be enforced, because the United States cannot release him from obligations incurred to other parties before he became an American citizen." to almost every article of human use; and Scientific truths, which now seem without any practical utility, will, without doubt, yield rich fruits to another generation.

But, of all countries where the cultivation of Science would produce the most useful results, our own stands conspicuous. With the natural wealth so richly spread over our wide Empire, in all that the bounteous earth produces, and the hidden stores she carries in her bosom, our countrymen need but the key which Science gives to enable them to unlock their treasure-house. But their impatience for results, their excessively practical character, make them miss the success they might securely attain by pursuing the proper method with patience and perseverance. How many wild schemes of speculation might have been avoided, how many fortunes saved from ruin by a proper application of Scientific knowledge! No greater benefaction could be bestowed on our country than to diffuse everywhere within its borders sound Scientific principles, and any measures tending to this end must contribute, directly and largely, to the public good. Our country needs not only the widest diffusion, but also the highest grade of Science. How can it be attained? By devising and putting into operation the means adequate to produce the desired result.

Wational Intelligence

WASHINGTON.

"Liberty and Union, now and forever, one and inseparable."

TUESDAY, JUNE 28, 1859.

A CURRENT TOPIC TREATED AS A HOME QUESTION.

It is quite as true in the moral and political world as it is seen to be in the physical, that objects are very differently viewed according to the position occupied by the observer. For instance, with regard to the comparative rights and obligations of naturalized citizens of the United States, it seems to be difficult for some of our contemporaries to comprehend how it is possible that a law of Congress, investing the subject of another country with the character of a citizen of the United States, is not good against the laws of the country from which he came, in case of a voluntary return thereto. In treating on this subject some days ago we alluded to the existence among us of a class of persons who, in the eye of our Federal law, were subjects rather than citizens, and for whose restitution, in case of escape, provision is made in that clause of the Constitution which ordains that "no person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

The municipal law which defines and the constitutional provision which guaranties this claim of property in the service or labor of the persons thus designated are not endowed with an extra-territorial force which makes them obligatory upon other Governments; and hence an indentured apprentice, or a person held to service for the term of his natural life, on escaping into the territory of Great Britain, may avail himself of the benefits offered by the British naturalization law and become a subject of that country. And, according to the logic of those who hold that naturalization under the law of the United States absolves the subjects of other countries from all their ancient political or civil obligations, even in case of a voluntary return to their native land, it follows, in like manner, that all persons "held to service or labor" under the laws of the United States might, after their naturalization in Great Britain, return to their former domicile, and, in their newly-elected and legallyassumed quality of British subjects, claim entire Wational Intelligeneer

immunity from the liabilities enjoined by the municipal law under which they were born. As our Government (we quote from the recent letter of Mr. Secretary Cass to Mr. Hofen) "is opposed to the doctrine of perpetual allegiance, and maintains the right of expatriation and the right to form new political ties elsewhere," we could not on principle object to the municipal law of Great Britain which clothes with British nationality those who, in exercising "the right of expatriation," had "formed new political ties" in that country. But we greatly question whether those among our Southern con--temporaries who dissent from the soundness of the recent declaration of Mr. Cass with regard to the liabilities of naturalized aliens in case of a voluntary return to their native country, would be consistent enough to admit, in conformity with their doctrine, that a person held to service by the law of South Carolina might, after escaping into Canada and becoming a British subject, properly claim the right of returning to his former domicile and hold himself free from the obligations imposed by the municipal law in defiance of which he had fled. Yet if our naturalization laws can avail to exempt the subjects of other countries from the liabilities enjoined by the laws of these countries upon all natural-born subjects found within their borders, it seems difficult to understand on what grounds the naturalization laws of other nations should not be equally potent to release from the obligations of United States law such persons as were once legally "held to service" in cur dominions, but who, often exercising the right of expatriation, should return to their former domicile in a new character, resulting from the formation of "new political ties elsewhere."

On this point we commend the subjoined practical reflections to such of our contemporaries as find themselves unable to see the bearings of this apparently difficult question, so long as its conditions imply a perverse obstinacy on the part of other coextries in refusing to give force and effect to the laws of our Congress within their limits. When it is a question whether we ought to recognise the municipal law of other States as paramount to our own, it may possibly simplify the terms of the problem and facilitate its rational solution. We quote from the Norfolk Herald of recent date:

Naturalization and Allegiance.—A Foreigner's View of the Question.

A shrawd though unpretending foreigner in our city, whose name it is not necessary to mention, in discussing the question as to the obligation of our Government to absolve naturalized citizens from contracts existing between them and the Government of their native country prior to their citizenship, maintained that no such obligation existed. These Governments required three years' military service from their subjects, and those who left their country without rendering that service knew that, whenever they went back, they must be compelled to fulfil their contract, and had no right to call upon the United States to annul it. To illustrate his position he made a very pertinent citation. The Constitution of the Unisted States, he said, recognised a class of individuals who, although not citizens, were held to service, and those to whom such service is due have a right, under the Constitution, to arrest them in any part of the Unisted States, when they leave the service which they "'owe." Now, suppose one of this class should go to Canada, he would become a British subject at once, enattled to all the benefit of British laws, and the proteczion, if need be, of British cannon law, as any native Briton would be in every hole and corner of the world, except that country where he "owed service" before he went to Canada. Now, again, suppose this individual to have some call, no matter whether to look after his own interest, or—as a very extreme case—to visit his family connexions, and come over the line from Canada into the United States, and the citizen of the United States to whom he owed service, armed with power by the Constitution of the United States, should arrest him and carry him back into servitude, would the law and the power of the British monarchy interpose to restore him to his position as a British subject?

This is the argument of a foreigner who boasts that, thefore he left his native country, he rendered his three years' military duty, and left with, as he expressed it, at a clean bill of health."

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FRIDAY, JULY 1, 1859.

THE KOZSTA CASE.

In treating several days ago on the relations of the "right of expatriation" considered as a historical question upon which our Government at different times and in its different departments has been called to express an opinion, we incidentally alluded to the phase in which it was presented by the celebrated Kozsta case, occurring during the Administration of President Pierce. To the general doctrine understood to be promulgated on that occasion, and defended at length by Mr. Secretary MAROY, we ventured to intimate the same dissent which we had expressed at the time of its first enunciation.

The Boston Post, in some recent comments on the allusion which we made to this interesting episode in our diplomatic history, takes occasion to question not only the justice of our conclusions in the matter, but also to sit in judgment on the "perfect transparency" of the "motive" by which, it is assumed, we must have been prompted in thus referring to a well-known event. In the opinion of that journal it is very evident that we must have had some sinister design in citing the case of Kozsta while considering the general subject presented by the liabilities of naturalized foreigners, as announced in the recent communication of Mr. Secretary Cass. To this purport it holds the following language:

"The National Intelligencer, for a motive, the transparency of which is perfect, sees fit to assume that there is a difference between the position taken by Gen. Cass and that which was taken by Mr. Marcy in his celebrated Kozsta letter. With due deference, we hope, to this venerable journal, we confess our inability to see The least analogy between the case of Kozsta and that met by Gen. Cass, or the least difference between the general doctrine laid down by these two illustrious statesmen; and if this journal will but recur to Mi Marcy's letter it can easily see that the wonder workin efficacy it fancies cannot be found there, and it probably exists only in the veteran imagination of this age journal."

If there "is not the least analogy" between the case treated by Mr. Marcy and that met by Mt. Cass, it would seem to most persons, less ingenious than our sprightly contemporary, rather remarkable that there should not be "the least difference be

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tween the general doctrine laid down by these two illustrious statesmen." With our high respect for the intelligence of the two Secretaries, we should have presumed, before examination, that, called as they were to consider cases so diverse, they would have been likely to propound a different doctrine according to the respective necessities of the question presented to their consideration. And as this anticipation seems to us abundantly confirmed by a perusal of their papers on the different points submitted to their discussion, we do not think it calls for any very great perspicacity to pierce the "motives" of those who find it possible to concur with the position announced by the one, without feeling under any obligation to endorse the "general doctrine" propounded by the other. Into the merits of the Kozsta case we do not propose to enter at this time. The subject was sufficiently cousidered in our columns while as yet it presented a current theme of discussion, and we have recurred to the matter only for the purpose of indicating to our Boston critic the "transparent" considerations which in our judgment make it excusable for plain minds to discern some "difference" between the principles propounded by these distinguished publicists in cases which have "not the least analogy" to each other.

FROM THE CITY OF NEW YORK.

New York, June 29, 1859.

The question, how far the oath of naturalization takes by a foreigner protects him from any pre-existing obligation to the country of his birth, is still a matter of discussion in the newspapers and by learned jurists. The Evening Post cites a case occurring in 1853, an says:

"Mr. Millard Fillmore was not a remarkably lion hearted man, and his Secretary of State in 1852, Edwar Everett, cannot be charged with extreme audacity c statesmanship; and yet, if Mr. Cass had consulted th records of his own Department, he would have foun that even Fillmore and Everett had demanded the discharge of a French-American citizen from Louis Napc leon, who is certainly not a coward, and carried their point."

The case was that of a Frenchman named Alliber, who had actually been drawn in the conscription (1839, and left his country without fulfilling the service On his return to France he was seized. Mr. Hodge, the American Consul at Marseilles, interposed, and the mawas released. Mr. Everett, on the 31 of March, 1855 wrote to Mr. Hodge a complimentary letter on the difference of his duty, saying—

"The Department was gratified to learn that Mr. All bert, whose arrest and imprisonment as an insoumis, a though a naturalized citizen of the United States, a mentioned in your communication, has been release. This is undoubtedly due to the firm and decided star maintained throughout the long controversy in your off cial correspondence with the authorities on the subject it is much to be desired that the case may be considered as a precedent, as you intimate, and that her after naturalized citizens of the United States may vis France without danger of arrest for military servic. In this event a huriful source of irritation and unfriently feeling will be avoided."

fided to my teaching, with some bas-reliefs and some entablatures, commemorating victories achieved by them in the field of common progress; taking heed however that I do not fall into the error of attempting to prove "to the Spartans that Hercules was a strong man."

Before I proceed to do the honorable duty of this evening, I ask your leave to express on this, the first opportunity which has offered itself, my acknowledgment for the suffrages which have placed me in the chair I now occupy. You have established a professorship of political science in the most populous and most active city in the widest commonwealth of an intensely political character; and this chair you have unanimously given to me. I thank you for your confidence.

Sincere, however, as these acknowledgments are, warmer thanks are due to you, and not only my own, but I believe I am not trespassing when I venture to offer them in the name of this assemblage, for the enlargement of our studies. You have engrafted a higher and a wider course of studies on your ancient institution which in due time may expand into a real, a national university, a university of large foundation and of highest scope, as your means may increase and the public may support your endeavors. So be it.

Mational Intelligences

COMMUNICATION.

THE NATURALIZATION QUESTION.

From the Note Book of a Country Lawyer.

The Secretary of State has recently declared in an official note that the naturalization of an alien makes him an American citizen to all intents and purposes, and that he may claim every right of any other citizen, except that he cannot be President of the United States. The statement is too general, and the Secretary should have added, "So long as the naturalized foreigner remains within the United States or under its jurisdiction." These are general rules:

- 1. The native born citizens of a country owe it allegiance, and are in turn entitled to protection every where.
- 2. The citizens of a country, unless prohibited from so doing, may go abroad at pleasure and reside in any other country. They may be so restrained when necessary for the public safety.
- 3 While so residing abroad they may pursue any lawful trade not prohibited to them; and while so residing they owe a qualified allegiance—a peaceable submission to the laws of the country they are in, still retaining their citizenship at home.
- 4. They may become naturalized in the country of their residence, and thus entitled to such rights of the native born subjects as the Sovereign chooses to grant.
- 5. The naturalized citizen thus owes a double allegiance—one to his native country and one to his adopted country; and he runs the hazard of his conflicting positions if his two countries become belligerent.
- 6. When the alien leaves the country of his naturalization and returns to his native country, the presumption is that he means to resume his citizenship at home and return to his first allegiance, unless the contrary appear.

These are principles recognised by civilized nations, whose consent and practice make public national law. But it is claimed of late that there is an American doctrine of free expatriation; and that our system of fostering care to foreigners and the Constitution of the United States make a new rule—that the very act of a foreigner becoming naturalized by the United States abrogates his old allegiance and absolves him from it.

The provision of the Constitution is simply this: "Congress shall have power to establish an uniform rule of naturalization." Now, to know the meaning of this, we must go to the horn-book rules of construction, and inquire what was the old law, the mischief and the remedy.

When the union of the Colonies made them a nation the law of the land was the common law of England, and it is yet the law, except where amended or repealed.

Under the common law he was an alien "who was born out of the allegiance of the King and under the legiance of another."—(7 Rep. 16, Calvin's case.)

The privileges of aliens were these: They might enter the country at pleasure and remain any length of time; they might lawfully carry on any kind of business; they Mational Intelligences

might acquire any kind of property; and have the benefit of law to enforce and protect their rights. If they purchased real estate they had power to take, so far as to divest the vender's title, but not to hold, for it might vest in the State by forfeiture. The alien could dispose of all other property by will or by contract, and his foreign heirs could inherit it.

The disabilities of aliens were these: they could not hold real estate; they could not vest money in any ship but foreign ships; they could not serve on juries in cases between natives; they could not vote in elections; nor could they hold public office or serve in legislative bodies.

The alien, while still under allegiance to his native country, thus enjoyed nearly all the privileges of citizens. What, then, was the object and effect of naturalization? Simply to remove the disabilities under which he rested as an alien, and to give him the rights of a citizen while he remained in the country. According to all precedent the act of naturalization (whether by Parliament or by Secretary of State) specified the rights he might enjoy. The act of itself could not affect his former allegiance to which he remained bound; and as a subject cannot have two countries bound to protect him, whenever he went abroad from his adopted country he was remitted to his old allegiance.

Such being the law, then, of the Colonies and of the Union, when the people of the United States provided in the Constitution that the Congress should have power to establish an uniform rule of naturalization, they used the word in its usual legal sense, and meant that Congress should provide by uniform rule for doing what the Parliament had done by special acts, and what the States had been severally doing. They meant also to prevent the competition of States in bidding for settlers by offering more favorable terms. They must also be presumed to have acted under one of the leading rules in regard to naturalizations, that they were to be strictly construed, and it was held that no statute of naturalization should be taken by equity, because it carried with it a prejudice to the subjects in general. (Charles J. Bridgeman.) Another rule was that allegiance was perpetual, especially by the common law, and to make a different rule for the United States would require an express provision to the contrary, or an implication from other provisions so clear that that rule could no longer stand. Therefore the effect of naturalization was confined to the actual jurisdiction of the country and not beyond it, for the alien could at any time depart the country, return to his old allegiance, and at once resume his native rights as citizen.

I am told that the Constitution of the United States is to be strictly construed, and so strictly that the power of Congress over the Territories of the United States is only that of a landholder; that they can only make rules for selling the public lands, and cannot authorize a civil government, but must leave that to the squatters. Now, taking the power of Congress over naturalization in a similar light, I would ask, have the people of the United States, or have the "sovereign States," if that be the more acceptable phrase, granted the power of binding them to defend in every part of the world all foreigners who shall pass through the prescribed forms of declarations, residence, and oath, and then betake themselves to other parts of the world? particularly should the alien return to his own country and there claim to be exempt from military service because he has become a foreigner? The States separately exercised the power of naturalizing aliens: did they thereby assume to act as natives and assume the power and responsibility of going abroad to contest a foreign allegiance due from their new subjects?

It may be noted that the first act of Congress to establish an uniform rule of naturalization (March, 1790) was a simple exercise of the power granted; and provided that an alien, after a certain residence and taking an oath to support the Constitution of the United States, might become a citizen thereof. The act of 1795 seught to go further, and it provided that the alien should renounce and abjure all allegiance to every foreign prince and potentate; and if the alien held any hereditary title or any order of nobility he should expressly renounce them in some court of record.

For what object were these provisions inserted? Was it an attempt to give us the sole allegiance? was it efficacious for that purpose? was the abjuration binding on the sovereign abroad? was it even binding on the alien himself, if he chose to return to his own country? These provisions are still retained. 'The Supreme Court of the United States have said that allegiance may be dissolved by the mutual consent of the Government and its subjects.—(Inglis vs. Sailor's Snug Harbor, 3 Pet. 125.) And the Supreme Court of Massachusetts have also said that the sovereign cannot discharge a subject from his allegiance against his consent, except by disfranchisement as a punishment for crime.—(9 Mass., 461.)

as a punishment for crime.—(9 Mass., 461.)
"Under which King, Benzonian?" Shall we follow
the law of bureaus or the law of the courts?

to the army are described to have had an electrifying effect on every soul in the camp, from the calculating engineer to the smallest drummer boy; yet it is observed that every one of these proclamations, intended for immediate and direct effect, contains portions that cannot have been understood by his hosts. Are we then to suppose that these were idle effusions, escaped from his proud heart rather than dictated for a conscious purpose? He that held his army in his hand as the ancient Cæsars hold Victoria in their palm, always knew distinctly what he was about when his soldiers occupied his mind, and those portions which transcended the common intellect of the camp had, nevertheless, the inspiriting effect of foreshadowed glory, which the cold commander wanted to produce for the next day's struggle. The same laws operate in all spheres, according to different standards, and it is thus that quickening instruction ought not to be deprived of foretokening rays.

Those branches which I teach are important, it seems, in all these respects and for every one, whatever his pursuits in practical life may be. To me have been assigned the sciences which treat of man in his social relations, of humanity in all its phases in society. Society, as I use the term here, does not mean a certain number of living individuals bound

national Intelligencer

Liberty and Union, now and forever, one and inscparable."

SATURDAY, JULY 16, 1859.

THE NATURALIZATION QUESTION.

We find in the official journal of the 14th instant the subjoined extract of a despatch addressed by Mr. Secretary Cass to the Minister of our Government at Berlin, under date of July 8, 1859, in definition of the views entertained by the Administration in the matter of the rights and liabilities of naturalized citizens of the United States who voluntarily return to their native country:

The right of expatriation cannot at this day be doubted or denied in the United States. The idea has been repudiated ever since the origin of our Government that a man is bound to remain forever in the country of his birth, and that he has no right to exercise his free will and consult his own happiness by selecting a new home. The most eminent writers on public law recognise the right of expatriation. This can only be contested by those who, in the nineteenth century, are still devoted to the ancient feudal law, with all its oppression. The doctrine of perpetual allegiance is a relic of barbarism which has been gradually disappearing from Christendom during the last century.

The Constitution of the United States recognises the natural right of expatriation by conferring upon Congress the power "to establish a uniform rule of naturalization." Indeed it was one of the grievances alleged against the British King in the Declaration of Independence that he had "endeavored to prevent the population of these States-for that purpose obstructing the laws of naturalization of foreigners, refusing to pass others to encourage their migration hither," &c. The Constitution thus clearly recognises the principle of expatriation in the strongest manner. It would have been inconsistent in itself and unworthy of the character of the authors of that instrument to hold out inducements to foreigners to abandon their native land, to renounce their allegiance to their native Government, and to become citizens of the United States if they had not been convinced of the absolute and unconditional right of expatriation. Congress have uniformly acted upon this principle ever since the commencement of the Federal Government. They established "a uniform rule of naturalization" nearly seventy years ago. There has since been no period in our history when laws for this purpose did not exist, though their provisions have undergone successive changes. The alien, in order to become a citizen, must declare on oath or affirmation that he will support the Constitution of the United States; and, at the same time, he is required to absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, State, or sovereignty whatever, and particularly, by name, the prince, potentate, State, or sovereignty whereof he was before a citizen.

The exercise of the right of naturalization, and the consequent recognition of the principle of expatriation, are not confined to the Government of the United States. There is not a country in Europe, I believe, at the pre-

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sent moment, where the law does not authorize the naturalization of foreigners in one form or other. Indeed, in some of these countries this law is more liberal than

our own towards foreigners.

The question then arises, what rights do our laws confer upon a foreigner by granting him naturalization? I answer all the rights, privileges, and immunities which belong to a native-born citizen, in their full extent, with the single qualification that, under the Constitution, * no person except a natural born citizen is eligible to the office of President" With this exception the naturalized chizen, from and after the date of his naturalization, both at home and abroad, is placed upon the very same footing with the native citizen. He is neither in a better nor a worse condition. If a native citizen chooses to take up his residence in a foreign country for the purpose of advancing his fortune or promoting his happiness, he is, whilst there, bound to obey its municipal haws equally with those who have lived in it all their lives. He goes abroad with his eyes open; and if these lams be arbitrary and unjust he has chosen to abide by the consequences. If they are administered in an equal spirit towards himself and towards native subjects, this Government has no right to interfere authoritatively in his behalf. To do this would be to violate the right of an independent nation to legislate within its own territories. If this Government were to undertake such a task we might soen be involved in trouble with nearly the whole world. To protect our citizens against the application of this principle of universal law, in its full extent, we have treaties with several nations securing exemption to American citizens when residing abroad from some of the onerous duties required from their own subjects. Where no such treaty exists, and an American citizen has committed a crime or incurred a penalty for violating any municipal law whatever of the country of his temporary residence, he is just as liable to be tried and punished for his offence as though he had resided in it from the day of his birth. If this has not been done before his departure, and he should voluntarily return under the same jurisdiction, he may be tried and punished for the offence upon principles of universal law.

Under such circumstruces no person would think of contending that an intermediate residence in his own country for years would deprive the Government whose laws he had violated of the power to enforce their execu tion. The very same principle, and no other, is applioable to the case of a naturalized citizen, should be choose to return to his native country. In that case, if he had committed an offence against the law before his departure, he is responsible for it in the same manner as the native American citizen to whom I have referred. In the language of the late Mr. Marcy, in his letter of the 10th of January, 1854, to Mr. Jackson, then our Charge d'Affaires to Vienna, when speaking of Tousig's case, "every nation, whenever its laws are violated by any one owing obedience to them, whether he be a citizen or a stranger, has a right to inflict the penalties incurred upon the transgressor, if found within its jurisdiction." This principle is too well established to admit of serious controversy. If one of our native or naturalized citizens were to expose himself to punishment by the commission of an offence against any of our laws, State or National, and afterwards become a naturalized subject of a foreign country, he would not have the hardihood to contend, upon voluntarily returning within our jurisdiction, that his naturalization relieved him from the punishment due to his crime; much less could he appeal to the Government of his adopted country to protect him against his responsibility to the United States or any of the States This Government would not for a moment listen to such

an appeal.

Whilst these principles cannot be contested, great care should be taken in their application, especially to our naturalized citizens. The moment a foreigner becomes naturalized his allegiance to his native country is severed forever. He experiences a new political birth. A broad

cy to the word Statistik, of which we have formed Statistics, with a somewhat narrower meaning, has well said, History is continuous Statistik; Statistik, History arrested at any given period.

The variety of interests and facts and deeds which history deals with, and the dignity which surrounds this science, for it is the dignity of humanity itself in all its aspirations and its sufferings, give to this branch of knowledge a peculiarly cultivating and enlarging character for the mind of the young.

He that made man decreed him to be a social being, that should depend upon society for the development of his purest feelings, highest thoughts and even of his very individuality, as well as for his advancement, safety and sustenance; and for this purpose He did not only ordain, as an elementary principle, that the dependence of the young of man, and they alone of all mammals, on the protection of the parents, should outlast by many years the period of lactation; and endowed him with a love and instinct of association; and did not only make the principle of mutual dependence an all-pervading one, acting with greater intensity as men advance; but He also implanted in the breast of every human being a yearning to know what has happened to those that have passed before him, and to let those that will come after him know what has befallen him and what he

and impassible line separates him from his native country. He is no more responsible for any thing he may say or do, or omit to say or do, after assuming his new character, than if he had been born in the United States. Should he return to his native country he returns as an American citizen, and in no other character. In order to entitle his original Government to punish him for an offence, this must have been committed whilst he was a subject, and owed allegiance to that Government. The offence must have been complete before his expatriation. It must have been of such a character that he might have been tried and punished for it at the moment of his departure. A future liability to serve in the army will not be sufficient, because before the time can arrive for such service he has changed his allegiance, and has become a citizen of the United States. It would be quite absurd to contend that a boy, brought to this country from a foreign country with his father's family when but twelve years of age, and naturalized here, who should afterwards visit the country of his birth when he had become a man, might then be seized and compelled to perform military service, because if he had remained there throughout the intervening years and his life had been spared he would have been bound to perform military

service.

To submit to such a principle would be to make an odious distinction between our naturalized and native citizens. For this reason in my despatch to you of May 12, 1859, and again in my letter to Mr. Hofer of the 14th citimo, I confine the foreign jurisdiction in regard to our naturalized citizens to such of them as "were in the army or actually called into it" at the time they left; Prussia. That is to the case of actual desertion or a refusal to enter the army after having been regularly drafted and called into it by the Government to which the time they owed allegiance. It is presumed that neit, her of these cases presents any difficulty in point of princt, le. If a soldier or a sailor were to desert from our arm, v or navy, for which off nee he is liable to a severe punit hment, and, after having become a naturalized subject of a nother country, should return to the United States, it won id be a singular defence for him to make that he was at solved from his crime because, after its commission, he h ad become a subject of another Government. It would be still more strange were that Government to interpose in his behalf for any such reason. Again, during the last war with Great Britain, in several of the States-I might, nention Pennsylvania in particular-the militia-man who was drafted and called into the service was exposed to a severe penalty if he did not obey the draft and muster himself into the service, or, in default thereof, procure a substitute. Suppose such an individual, after having incurred this penalty, had gone to a foreign country and become naturalized there and then returned to Pennsylvania, is it possible to imagine that for this reason the arm of the State authorities would be paralyzed and that they could not exact the penalty? I state these examples to show more clearly both the extent and the limitation of rightful Hanoverian jurisdiction in such cases. It is impossible to foresee all the varying circumstances which may attend cases as they may arise; but it is believed that the principles laid down may generally be sufficient to guide your

It is to be deeply regretted that the German Governments evince so much tenacity on this subject. It would be better, far better for them, considering the comparatively small number of their native subjects who return

to their dominions after being naturalized in this country, not to attempt to exact military service from them. They will prove to be most reluctant soldiers. If they violate any law of their native country during their visit, they are, of course, amenable like other American citizens. It would be a sad misfortune if, for the sake of an advantageso trifling to such Governments, they should involve themselves in serious difficulties with a country so desirous as we are of maintaining with them the most friendly relations. It is fortunate that serious difficulties of this kind are mainly confined to the German States—and especially that the laws of Great Britain do not authorize any compulsory military service whatever.

We learn from the Constitution that the despatch from which this extract is taken has been called forth by a case that has recently arisen in the German kingdom of Hanover. It appears that a naturalized citizen of the United States, who, a naturalborn subject of Hanover, emigrated to this country at a period when he was neither actually enrolled in the Hanoverian army nor had been drafted for military duty, has, on his recent return to Hanover, been impressed by the local authorities into that branch of the public service. The intervention of our Government having been invoked in his behalf, we learn from the official journal that "the whole subject of the rights of our naturalized citizens has received the renewed and careful consideration of the President, and his views, as well as those of his entire Cabinet, upon this important subject, will be found in the extract made from this despatch, as transmitted a few days ago from the Department of State to our Minister at Berlin, in relation to the case referred to."

If we correctly apprehend the purport and scope of the principles laid down by the Administration in this letter of instructions, we may say that it is a question with us whether the "important subject" is placed by them, so far as they are novel, on a more satisfactory basis than that upon which it has rested under former decisions of our Government. In thus giving an official expression to the principles announced in the letter to Mr. Hofer, the Secretary of State has, as we understand, committed the United States to the support of a position which is somewhat in advance of that assumed by any previous Administration, without, at the same time, coming up to the full requirements of those who demand recognition for American municipal law against the municipal law of all other States. Whether the question has thus been placed in a light which serves more clearly to disclose its logical relations we may be permitted to doubt, for reasons which we proceed briefly as possible to assign.

And, in the first place, we may say that any disquisition, however unanswerable, upon the abstract right of expatriation, has no tendency to promote a clearer comprehension or an easier settlement of the particular matter at issue in respect to the liabilities of naturalized citizens who return to their

ing itself the philosophical school by way of excel-I mean those historians who seek the highest work of history in finding out a predetermined type of social development in each state and nation and in every race, reducing men to instinctive and involuntary beings and society to nothing higher than a bee-hive. They confound nature and her unchangeable types and unalterable periodicity, with the progress and development as well as relapses of associated free agents. In their eyes every series of events and every succession of facts becomes a necessity and a representative of national predestination. Almost everything is considered a symbol of the mysterious current of nationality, and all of us have lately read how the palaces of a great capital were conveniently proclaimed from an imperial throne to be the self-symbolizations of a nation instinctively intent on centralized unity. It is the school peculiarly in favor with modern, brilliant and not always unenlightened absolutism; for, it strikes individuality from the list of our attributes, and individuality incommodes absolutism. It is the school which strips society of its moral and therefore responsible character, and has led with us to the doctrine of manifest destiny, as if any destiny of man could be more manifest than that of doing right, above all things, and of being man indeed. The error into which this school has

native country. That doctrine is wholly foreign to the topic in controversy, which turns simply upon the question whether the municipal law of independent States is equally entitled to respect and obedience within their rightful and exclusive jurisdiction, or whether the municipal regulations of one State may properly claim to superscde or modify those of another within the territorial dominion of that other. It is quite true that our naturalization laws proceed upon a denial of the proposition that, by the terms of international law, the State is a prison, civitas carcer est, as the old publicists expressed it. But in thus excluding that dogma from the injunctions of public law, they by no means meant to deny the right of other States, within their limits, to establish and enforce the doctrine of perpetual allegiance, with all its attendant charges and responsibilities. dogma could claim no sanction from the law of nations, the framers of the Constitution could rightfully make provision for the naturalization of aliens, as in so doing they violated no provision of public law and invaded no right of other States, for the latter could properly claim no submission to their municipal statutes in the matter of allegiance beyond their legitimate jurisdiction. They might, if they chose, declare the doctrine of perpetual allegiance incumbent on their subjects, but they could not give to it an extra-territorial force which compelled its observance by the United States. In a word, the whole subject of allegiance was held by the founders of our Government to be purely a matter of municipal regulation by the several countries of the world, which; with the full assent of public law, were left free to establish such enactments in the premises as they might think expedient, without, however, being authorized to claim any respect for such regulations beyond their legitimate territorial jurisdiction.

This principle, simple in its terms, and, at the same time, equally accordant with reason and the equality of nations, affords an easy solution of the matter now in controversy. According to its terms there can be no "conflict of laws" on the subject, as seems to be apprehended by some; for when, from the very nature of the case, the several municipal laws of independent and sovereign States move in a separate and distinct, yet, within their rightful limits, an equally appropriate and exclusive sphere, there is no room for contact between their different systems, and therefore no opportunity for a "conflict" of orbits. Within our jurisdiction we have a perfect right to disregard the dogmas of universal allegiance incorporated in the laws of

other States; and within their jurisdiction they have an equally incontestible right to assume that our municipal regulations, in the matter of naturalization, do not cancel their statutes enjoining the charges and obligations, military or otherwise, which spring from the theory of allegiance embodied in their laws.

And hence we are tempted to doubt whether our Government, in assuming, as we now understand it to do, that a nation has no right to exact military service of a natural-born subject who may have subsequently become a citizen of the United States, unless that service was actually due at the date of his emigration, has undertaken to establish a proposition which admits of question in point of the principles properly applicable to the case. If a German municipality chooses to enjoin military duty upon all natural-born subjects within its jurisdiction, it may be difficult to convince that Government that the evasion of a subject prior to, and therefore full in prospect of, his "future liability to serve in the army," deserves to exempt him from the obligation in question. Nor in settling this point can we demand, of right, that the German Government should give any consideration whatever to our naturalization laws. As these latter are wholly municipal in their origin, they are also wholly municipal in their operation.

Mr. Cass quotes, as "a principle too well established to admit of serious controversy," the declaration made by Mr. MARCY under the last Administration, when he held that "every nation, whenever its laws are violated by any one owing obedience to them, whether he be a citizen or a stranger, has a right to inflict the penalties incurred upon the trangressor, if found within its jurisdiction." Now, to test the doctrine promulgated by Mr. Cass, in the extract above cited, let us suppose that by the law of Hanover the obligation of military service is made incumbent on all naturalborn subjects within the limits of that kingdom. Can it be consistently held that such a law is suspended or superseded in the case of such naturalborn subjects as have availed themselves of our naturalization laws prior to the maturity of their obligations as defined by the laws of Hanover? By virtue of what principle is it contended that our municipal regulations are competent to absolve a Hanoverian subject from liabilities which were prospective, it is true, at the date of his naturalization, but which have become actual at the date of his voluntary return to his native country? If our naturalization laws have any valid claim to be

citizens of a republic. There are not a few among. us, who are dazzled by the despotism of a Cæsar, appearing brilliant at least at a distance—did not even Plato set, once, his hopes on Dionysius?—or are misled by the plausible simplicity of democratic absolutism, that despotism which believes liberty simply to consist in the irresponsible power of a larger number over a smaller, for no other reason, it seems, than that ten is more than nine. All absolutism, whether monarchical or democratic, is in principle the same, and the latter always leads by short transitions to the other. We may go farther; in all absolutism there is a strong element of communism. The theory of property which Louis the Fourteenth put forth was essentially communistic. There is no other civil liberty than institutional liberty, all else is but passing semblance and simulation. It is one of our highest duties, therefore, to foster in the young an institutional spirit, and an earnest study of history shows the inestimable value of institutions. We need not fear in our eager age and country that we may be led to an idolatry of the past—history carries sufficient preventives within itself—or to a worship of institutions simply because they are institutions. Institutions like the sons of men themselves may be wicked or good; but it is true that ideas and feelings, however great or pure, retain a passing and meteoric character so long as they are

quoted at all in the settlement of this question as one of international right, we cannot see on what grounds this nice discrimination is founded between their power to exempt from inchoate obligations which have become mature at the date of their enforcement, and those which were mature only at the date of naturalization. This alternative proposition, in our judgment, is open to the objections which lie against premises that halt in either term of the dilemma they propose; for, if our municipal laws are wholly extrinsic to the settle-u ment of a question raised under the municipal laws of Hanover, then the principle propounded by Mr. Cass proves too much; while if our laws may bed cited at all as against the pretensions of that kingdom, it proves too little. The only logical and consistent solution of the problem is found, as we conceive, in the doctrine that all regulations, in the matter of allegiance or naturalization are purely municipal in their nature and scope, and as the obligations of the former, under the laws of other States, do not estop us from naturalizing their subjects within our limits, so the rights imparted by the latter under our laws do not affect in any way the responsibilities which in other States are held to be incumbent on all natural-born subjects found within their jurisdiction.

We need hardly add that in these remarks we have sought to treat this question as one of legal obligation, arising under the sanctions defined by the strict rule of international right. It is to this aspect of the subject that we have solely addressed our observations, without intending in any way to inculpate the proceedings of the Administration in, the appeal it has made to the Government of Hanover. If that Government shall yield its adhesion to the representations of our Minister at Berlin, acting under the instructions of Mr. Secretary Cass, the Administration will be entitled to whatever credit may legitimately attach to the initiative it has taken in this effort to secure a little more than has been claimed by former Administrations in the premises, if not enough, as the event shall prove, to satisfy the demands of a more exacting patriotism, as urged by some in the name of American nationality. If, however, the King of Hanover should decline the invitation of our Government to make this matter a question of chronology, (to be decided, in the case of each individual concerned, by a calculation resulting from the date of his birth, the date of his liability to military duty, the date of his emigration to, and the date of his naturalization in, the United States,) and should rather prefer to ascertain the military obligations of all natural-born subjects of his realm by a simple reference to the laws of Hanover, we hope such a determination would not be considered by our Government as an "act unfriendly to the United States."

THE CENTURY.

NEW YORK, SATURDAY, JUNE 25, 1859.

RIGHTS OF NATURALIZED CITIZENS.

CECRETARY CASS has written two letters in answer to applications by naturalized citizens requesting to know whether the laws of the United States will protect them from the military conscription in their native countries, if they should voluntarily return thither. In the first he signified very briefly that no protection whatever could be afferded by this Government. This was so vigorously denounced in various journals, that he thought it expedient to introduce some qualification in his second letter; but in neither, to our apprehension. does he touch the essential principles involved in the case. A Philadelphia correspondent, whose letter will be found in this paper, presents in an able and dispassionate form, the views which may be supposed to have constituted the basis of the Secretary's judgment. We are not prepared to adopt these views, nor yet to explain fully the grounds on which we dissent from them. The subject is difficult, and complicated by the different laws and usages of nations.

The right of self expatriation is embraced in the Constitution of the United States. That instrument was the expression of a new organization of society which ignored the doctrine of divine rights in Government, as opposed to the natural rights of man. The entire population of the Colonies was self expatriated, and the revolutionary war broke out on the claim of the divine right of the mother country. This was severed, and the acknowledgment of our independence by Great Britain, is perhaps, the strongest testimony afforded by history, to the right of the individual to seck his home where he may choose. From this results the whole course and tide of emigration by which unoccupied countries are settled.

The Constitution of the United States cannot, on its own theory, make a distinction between one citizen and another. If it can protect a native born citizen from the military conscription in France, Prussia, or England, it can, and ought to protect the naturalized citizen. It has required the latter to forswear all other political allegiance, and he has become part and parcel of our social, civil, and political organization.

If the citizens of other Governments escape, owing service by contract, or in any express form, there is room for controversy. But if, as is the fact, emigration goes on without prohibition or hindrance by the mother country, often in the ships of her own citizens under Government regulations, that is pretty strong evidence that the Government consents to it. In the face of the

the word sweet has been carried over, in all languages, into different and higher spheres, where it has ceased to be a trope and now designates the dearest and even the holiest affections. All men understand what is meant by sweet music and sweet wife, because the material pleasure whence the term is derived is universal. All men of all ages relish sugar, but those regions which produce it are readily numbered. This applies to the far greater part of all materials in constant demand among men, and it applies to the narrowest circles as to the widest. The inhabitant of the populous city does not cease to relish and stand in need of farinaceous substances though his crowded streets cannot produce grain, and the farmer who provides him with grain does not cease to stand in need of iron or oil which the town may procure for him from a distance. With what remarkable avidity the tribes of Negroland, that had never been touched even by the last points of the creeping fibres of civilization, longed for the articles lately carried thither by Barth and his companions! The brute animal has no dormant desires of this kind, and finds around itself what it stands in need of. This apparent cruelty, although a real blessing to man, deserves to be made a prominent topic in natural theology.

Lastly, the wants of men—I speak of their material and cultural wants, the latter of which are as urgent

world, the United States has been the open market for population from other countries, and continues to be so. It might easily be shown that the advantage has been in favor of the old countries by the increase of our agricultural products, and the consequent reduction in the price of food, or improvement in its quality, consequent on European emigration to our Western prairies.

The only ground on which Governments have claimed the right of service from citizens, has been that of equitable return for protection. If we examine closely into this assumption, we shall find it to be for the greater part, a mere fiction. The emigrating classes of Europe receive, practically, but little attention from their Governments. They are allowed to pay taxes, or tithing, and to get a living as they can. To rob them of the right of emigration to a new country, would be cruel tyranny over individual and domestic life.

We shall take a future opportunity to develop more fully the principles involved in the transfer of citizenship from one country to another. It has, in fact, become a part of modern history, by the settlement of new countries. Regarding it from a constitutional point of view, it appears to us that the abandonment of protection to the naturalized citizen would be a virtual recession from the vital elements of society in this country, as these were set forth at the origin of the Government, and as they have been demonstrated in its history.

The Hon. Caleb Cushing, in a letter to Mr. Alexander Sidi dated the 18th inst., which came to hand after the foregoing was in type, confirms our general view of this question. He says: "The laws of the United States do not admit the indefeasibility of natural allegiance. The assertion of the right of self-expatriation is one of the principles of the fundamental public law of the American Union. We hold that the power to change domi cil is of universal natural right, subject only to such conditions as may be requisite to reconcile the general with individual interests. These conditions are the exercise of good faith in the time and circumstances, and in the purpose of the change of domicil, the actual consummation of the purpose, and the discharge of all subsisting obligations in or to the country left. Such, according to my understanding of the matter, always has been, and still continues to be, the doctrine maintained by the American Government. It being material to you, however, to possess official assurance on this point, I have presented your case to the notice of the Secretary of State; and I have his answer to the effect that, in the case of a person emigrating to the United States, and becoming naturalized here, with no present liabilities to his native country, military or other, existing against him at the time of his emigration-in such case the law of nations, in the opinion of the American Government, gives no right to any foreign country to interfere with him, and the attempt to do so would be considered an act unjust in itself, and unfriendly to the United States."



FROM PHILADELPHIA.

PROTECTION TO NATURALIZED CITIZENS.

PHILADELPHIA, June 20, 1859.

The two communications from the Secretary of State to Messrs. Le Clerc and Hofer have excited a world of attention in the press of all parts of the The subject is one pregnant of international difficulty, and it may be provocative to war in more than one generation. The question of the duties of the Government toward adopted citizens, when called by pleasure or business to revisit the countries which claim their "natural fealty," upon what is regarded, and perhaps with justice, as an absurd and antiquated principle, is involved with far more numerous complications than are likely to be perceived by passionate and apparently interested parties, under any circumstances. But, at a time when all that relates to naturalization and naturalized citizens is mixed up in the boiling chaldron of partisan politics, on the eve of a Presidential election, the chances of a calm investigation of such a serious subject are indefinitely diminished. I would wish, therefore, to place before our fellow-citizens of both foreign and native birth a few views and opinions, which, if they cannot remove, may at least assuage the rancor inevitably excited by such discussions. These views will be taken from a stand-point quite as independent and disinterested as can possibly be assumed by a member of a commonwealth of princes, compelled by duty to unite with others in the fulfillment of his civil obligations; for, while strongly confirmed in his political faith, the writer finds himself incapacitated by the very nature of that faith for entire unity with any of the various extant parties as such, and only asks to be heard patiently by all.

Democracy is charged with having been peculiarly active in catering to the prejudices of our foreign-born citizens, and especially the more ignorant and exciteable among them, in order that it might be viewed as the peculiar friend of the stranger, for the purpose of influencing his vote. Though by no means an advocate of modern democracy, I have never been able to perceive that its votaries excel those of any other political school

in the country in their aptitude to

"Crook the pregnant hinges of the knee, That thrift may follow fawning;"

but, if the charge be true, it relates only to the dishonest arts of the canvass, and not to the political principles which form the real ground-work of the partisan philosophy. Statesmen, involved in the management of international affairs cannot be guided, however they may desire to be so, by the precise words of a partisan platform, with the expositions of irresponsible stump orators of any political sect. We may see clearly the propriety of our own views of municipal law, and they may be proper under the circumstances in which we are placed; but differences of race, geographical position and educational training may render doubtful their practical propriety elsewhere; or even if strictly just under all circumstances, the justice of attempting to enforce them upon other nations not favored by providence with equal clearness of mental vision, is a very different matter. Such action can be effected, sometimes, by diplomatic suasion—a very feeble and protracted means of remedying an evil, preservative, it may be, of we call the infliction of a deep wound a profound lesson in anatomy.

What is Political Economy good for? It is like every other branch truthfully pursued, good for leading gradually nearer and nearer to the truth; for making men, in its own sphere, that is the vast sphere of exchange, what Cicero calls mansueti, and for clearing more and more away what may be termed the impeding and sometimes savage superstitions of trade and intercourse; it is, like every other pursuit of political science of which it is but a branch, good for sending some light, through the means of those that cultivate it as their own science, to the most distant corners, and to those who have perhaps not even heard of its name.

Let me give you two simple facts—one of commanding and historic magnitude; the other of apparent insignificance, but typical of an entire state of things, incalculably important.

Down to Adam Smith, the greatest statesmanship had always been sought for in the depression of neighboring nations. Even a Bacon considered it self-evident that the enriching of one people implies the impoverishing of another. This maxim runs through all history, Asiatic and European, down to the latter part of the last century. Then came a Scottish professor who dared to teach, in his dingy lecture-room

national honor, but generally useless to an aggrieved individual or his immediate heirs. More generally, the only mode of reforming any system which we hold to be abusive in other countries, is a resort to war; and a people that appeals to this last argument of kings without very carefully considering both its ability to ruin an enemy and the expediency of so ruining him, if able, is neither a Christian nor even a worldly-wise one.

It seems that the Secretary of State has been repeatedly questioned on the intention of the United States to protect, under the shadow of its flag, its naturalized citizens from the laws of their native countries, in regard to military service, when they see fit to return after having forsworn their allegiance and assumed similar obligations elsewhere. In his first reply, addressed to M. Le Clerc, Gen. Cass, without any ambiguity of phrase, distinctly states that "it is understood that the French Government claims military service from all natives of France who may be found within its jurisdiction. Your naturalization in this country will not exempt you from that claim should you voluntarily repair there."

certainly were the boastful rhodomontade of partizan stump oratory binding upon the candidate of any party established upon fixed principles—were the dicta of the orators paramount to the requirements of international law, and capable of imposing upon the statesman, or the nation, the performance of impossibilities, then, indeed, this declaration of the Secretary would prove him recreant both to his party and his country; for even the latter, after having entered into a solemn contract with its invited guest, and having, by that contract, endowed him with all the privileges of a member of the family, is most certainly bound to extend to that member all the privileges legally enjoyed by its own proper children.

The opportunity afforded by this reply of the Department of State has led the major part of the Opposition press into one broad and sneering cachinnation, and the endeavor is made by every section of the Opposition to make capital of what it represents as an outrage upon the fundamental principles of the American system. For what purpose is this? Surely not to convince intelligent men that, if in power, the representatives of any other party would have rendered a different reply? No truly intelligent man is capable of such conviction! The United States protects alike its native and naturalized citizens wherever its flag is legitimately carried, but it never promised to protect either one or the other from the municipal laws of any other country, when, by their own voluntary act, they place themselves within the proper jurisdiction.

The whole object of this outery has been the desire to practice another gross deception upon the perpetually deceived and too generally ignorant foreign-born voter, with the intention of affecting the election of 1860. Now, while the writer, as an individual, would go all honorable lengths to overthrow the existing dynasty at Washington, he must be permitted to protest against this most unfair method of warfare. If the doctrine of universal protection were practically attempted in the manner advocated by many ignorant enthusiasts and some men of ability, whose political interest induces them to outrage their convictions and insult their reason, the consequences would be equally destructive to the deceivers and

the deceived. By the universal consent of civilized nations, the rights of a flag-of-truce, and those of a Minister, Envoy, or Consul are determined, and they may be extended, in special cases, to any degree, by special treaty; but so jealous is every particular sovereignty of the jurisdiction of a foreign flag, that the diplomatic agent is considered and spoken of as "near" the Court—not in it; and his discharge by the ruling power, for reasons, though regarded as an unfriendly and threatening act, is not, in itself, a just cause of war. In protecting, then, either native or naturalized citizens, on foreign soil, the power of the American flag, like that of every other country, is bounded by the law of nations, the municipal law and existing treaties. By virtue of the second, it covers the deck of a neutral merchant vessel on the high seas By the universal consent of civildeck of a neutral merchant vessel on the high seas deck of a neutral merchant vessel on the high seas in time of peace, and, to a limited extent, in war also; and it covers the person and residence of the Minister or Consul, except in cases of breach of the peace. But beyond these limits the rights of the peace of the peace. But beyond these limits the rights of persons, native or foreign, are protected by the first and last alone. There exists, so far as I know, no treaty between this country and any other, except, perhaps, Switzerland, by which the military code is modified, in its relation to residents, from whence-soever they may come. The matter, so far as it is not regulated by the law of nations, is determined by the local authorities alone. And how far is it affected, in this case, by the universal consent of civilized sovereignties?

affected, in this case, by the civilized sovereignties?

Most wisely, it must be confessed, the United States repudiated, at their very birth, that doctrine of the dark ages, "once a citizen always a citizen." The right of voluntary expatriation was, with her, a fundamental right. She is bound to protect her The right of voluntary expatriation was, with her, a fundamental right. She is bound to protect her citizens under it, wherever her flag is legally unfurled. To do so, she involved herself in the bloody struggle of 1812, for the inviolability of her decks upon the high seas, but expediently concluded a peace without obtaining the full acknowledgment of even this universal right. But has she the right to enforce this doctring upon others?

she the right to enforce this doctrine upon others?

No single country can engraft upon the international code a new statute that shall be binding upon another than herself; nor can she extend her ipon another than hersen; not can she extend her jurisdiction, by her own act, beyond the legitimate shadow of her flag. In repudiating "the antiquated doctrine of natural fealty," she stands alone. God grant that she may not long continue thus isolated! Are men to be permitted to change their fealty and trample upon their oaths without any restraint? Is the world ripe for making all nationality a farce? Are even we prepared to warrant an American born citizen to take up arms against his native land? If so, so be it. But we suspect that even the ranters against the decision of General Cass would be inclined to frown upon the native or naturalized citizen who, during the Mexican war, should have entered the Mexican service, fought to the death against his American countrymen, been taken and held as a prisoner of war, and yet should attempt to yet again as an American and yet should attempt to vote again as an American, after the declaration of peace. Yet the theory covers this. We have heard of a distinguished Spaniard who took this course, but trust that the story was not true.

If France still claims her soldiers, and England her sailors, on their return as American citizens to their native land, Russia goes further. She prevents the exit of her citizens without permission of her Emperor. She would have as full a right to prohibit the entrance of any foreigner into her territory, and, unless she made a distinction between Americans and the citizens of other countries, with whom she is connected by treaty, should have no right to complain or interfere.

The law of nations, then, unaided by treaties, does not warrant the United States in attempting to prothe action of local military laws in other countries, when they voluntarily place themselves within their jurisdiction; and if these laws draw a distinction between persons born in America and persons born in the country that claims their service. sons born in the country that claims their service, that distinction is not chargeable upon us, but upon them. There is, indeed, one class of exceptions, in which it would appear that the United States might rightfully demand the exemption from military service, of a returning naturalized citizen. It is where special permission to emigrate finally has been granted by the proper foreign authorities. In this case the implied contract with the native land has been cancelled by mutual consent, and can no longer be urged by either; but the onus

tive land has been cancelled by mutual consent, and can no longer be urged by either; but the onus probandi in each case would lie with us, and from our loose regulations as to immigration, proper proof is rendered nearly impossible.

Most fortunate would it be could we, by diplomacy, bring about a proper understanding with foreign nations on this great question; but it is obvious that the desire on the part of any adopted citizen to involve us in dispute with a belligerent power at present, in order to favor the ends of individuals, would be singularly ungrateful, and that its accomplishment would be suicidal.

As to the second letter of the department, which endeavors to assuage the excitement raised by the

As to the second letter of the department, which endeavors to assuage the excitement raised by the first, by drawing a false distinction between the duty of military service implied in the original fealty, and the duty which the individual may have specially contracted to perform, it would appear appear simply puerile, were it not for its important bearing upon the stump and the approaching canvass.

R. C.

ences debarred by this disagreement of their followers? But, however important at certain periods the difference between protectionists and free-traders may be, it touches, after all, but a small portion of the bulk of truth taught by Political Economy, and I believe that there is a greater uniformity of opinion, and a more essential agreement among the prominent scholars of this science, than among those of others excepting, as a matter of course, the mathematics.

If it is now generally acknowledged that Political Economy ought not to be omitted in a course of superior education, all the reasons apply with greater force to that branch which treats of the relations of man as a jural being—as citizen, and most especially so in our own country, where individual political liberty is enjoyed in a degree in which it has never been enjoyed before. Nowhere is political action carried to a greater intensity, and nowhere is the calming effect of an earnest and scientific treatment of politics more necessary. In few countries is man more exposed to the danger of being carried away to the worship of false political gods and to the idolatry of party, that in our land, and nowhere is it more necessary to show to the young the landmarks of political truth, and the essential character of civil liberty—the grave and binding duties that man imposes upon himself whe: he proudly assumes self-government. Nowhere see

New-York Daily Tribune.

FRIDAY, JUNE 24, 1859.

EFFECTS OF NATURALIZATION.

The doctrine of perpetual allegiance, whatever objections may be made to it, seems to be founded upon some pretty strong and obvious analogies. However decidedly the fashionable political philosophy of the latter half of the last century might lean to the idea of allowing every man to think. choose and act for himself-what has been called individual sovereignty-even that philosophy did not deny the existence of certain obligations which, as they are imposed upon every individual without his consent or participation, so he has no power to shake them off. The obligations and duties which a parent owes to a child, and a child to a parent, do not depend upon the will or consent of either, nor does the law, in the sanction which it adds to certain of those obligations, recognize in either any power of renunciation. It was undoubtedly those analogies, the same which in many languages have assimilated the names of father and of country, that gave rise to the idea of perpetual allegiance. If a son cannot renounce the obligations which he owes to his father, how can the subject or citizen free himself at his own mere will and pleasure from the duty which he owes to his country?

Even the doctrine of contract as the origin of government and the bas's of the mutual obligation of sovereign and subject, does not in the least interfere with this doctrine of perpetual allegiance, since even in the case of civil contracts no system of jurisprudence allows one of the parties, at his own mere pleasure or caprice, and without the consent of the other party to the contract, to discharge himself from the obligations thence arising. Nor does the idea and practice of naturalization -an idea and practice familiar to the English law as well as our own-necessarily conflict with the doctrine that no man can, by his own mere act, shake off the obligations which his birth has imposed upon him. The great object of naturalization is to give, within the jurisdiction of the country that grants it, the rights and privileges of a natural-born subject, which does not necessarily include the release of the party naturalized from any prior obligations to which he may be liable. It is worthy of notice that the Naturalization act passed by the first Congress under the Federal Constitution did not require on the part of the persons naturalized any renunciation of any prior obligations. That act authorized all Courts of Record to entertain the application of alien free white persons who had resided within the United States for two y'ars, and, on proof of good character and their takeng an oath of affirmation to support the Constitution, to admit such persons as citizens; but no person who had been disfranchised by any State under any laws passed during the Revolution was to be readmitted as a citizen, except by a legislative act of the State to which he had formerly belonged. This first Naturalization act was passed in 1790. Another act, substantially that

which is now in force, was passed in 1794. By that time, a considerable stream of emigration was setting to the United States, but, to a great extent, of a different character from that which now flows thither. Instead of being mainly made up, as now, of persons coming in pursuit of empleyment or pecuniary advantage, it was largely composed of political refugees, driven from Europe by the political agitations that prevailed there. Many of the banished French nobility, and many of the discontented Irish, sought refuge in the United States; and what with fear of foreign aristocrats on the one hand, and apprehension as to imported Jacobinism on the other, both parties by which the country had then begun to be divided were willing to render naturalization more difficult. By a new act, the preliminary residence necessary to citizenship was extended to five years; a three years' previous declaration (to be made in some Court of Record) of intention to become a citizen was also required, and a residence for one year in the State where the naturalization should be had. The new citizen was now also called upon to renounce forever all allegiance and fidelity to any foreign prince or State, and also expressly to renounce any title of nobility which he might have borne in his native country.

The course which the Members of the Congress that enacted this law had themselves taken in shaking off their own allegiance to the British Crown, might naturally lead them to claim for all others, as a matter of right, a like privilege. Nevertheless, there are obvious differences, which leave no sort of similarity between the two In the first place, the dissolution of the political connection between the inhabitants of the United States and the British Crown and nation was not an individual act. It was the act of the States respectively, or rather of the States collectively, and not the act of the individual citizens. So far from recognizing any right in the individual to select his own sovereign or country, our Revolutionary fathers held that individuals were absolutely bound by the act of the community of which they formed a part; nor did they hesitate to inflict severe penalties on such individuals as undertook to exercise a private right of judgment and choice in this matter. In the second place, the renunciation of allegiance to the British Crown thus collectively made was formally consented to by the British Government at the treaty of peacean ingredient of consent wholly wanting in the case of individuals undertaking to create a new allegiance for themselves. Our interest, too, would naturally incline us to favor the view by which, as a country receiving emigrants rather than sending them out, we had most to gain, while it is not to be wondered at that naturalized citizens themselves should reluct at the idea of owing service to two masters, even though it were a voluntary act of their own by which they were placed in that predicament.

Practically, however, the inconveniences likely to arise from the doctrine of perpetual allegiance, are confined within narrow limits. There seem to lar directness of purpose and language. Abstraction did not suit them well. Those Romans, who loved law and delighted in rearing institutions and building high roads and aqueducts; who could not only conquer, but could hold fast to, and fashion what they had conquered, and who strewed municipalities over their conquests, which, after centuries, became the germs of a new political civilization; who reared a system of laws which conquered the west and their own conquerors, when the Roman sword had become dull; and who impressed, even through the lapse of ages, a practical spirit on the Latin Church, which visibly distinguishes it from the Greek; those Romans who declared their own citizens with all the Jus Romanum on them, when once enrolled, the slaves of the general, and subjected them to a merciless whip of iron chains; those Romans who could make foreign kings assiduous subjects, and foreign hordes fight well by the side of their own veterans, and who could be dispassionately cruel when they thought that cruelty was useful; those Romans who were practical if there ever was a practical people, bade their schoolmaster to drive the XII Tables into the stubborn minds of the little fellows who, in their turn, were to become the ruling citizens of the ruling commonwealth, and we know, from sculptural and written records, in prose and metre, that

FROM WASHINGTON.

From Our Own Correspondents

Washington, July 17, 1859. Since the Administration has, with certain material mental reservations, abandoned its former positions regarding the rights of adopted citizens, it might be well to recall the letters and advice previously written and given, forbidding many in that category to go abroad, unless they were prepared to incur the hazard of being impressed into military service. If the doctrine asserted in Mr. Le Clerc's case be really surrendered, then he ought to be notified to that effect, instead of being compelled to remain at nome, for fear of facing Louis Napoleon's conscription. In any event, it is only fair that the ernment means to maintain. Some attempts have the three manifestoes issued within six weeks from the Department of State, but with no effect upon the intelligent opinion of the country. Everybody true sentiments of the Administration, and that the

But iv. order that the public may see at a single glance the varying phases of policy here on this question, let the three declarations be contrasted

lative country. He is no more responsible for anything he may say or do, or omit to say or do, after assuming his new character, than if he had been born in the United States.

"L. CASS." do, gration.
"L. CASS."

No sophistry or ingenuity can harmonize these declarations, which now face each other with complacent effrontery. And even this feeble attempt to change front would never have been made but for the disastrous effects produced upon the party by the original letter to Le Clerc. No better evidence is wanting of Mr. Buchanan's desire to be a candidate for a second term than these small efforts to court favor at the expense of whatever principle dispatch was written by his own hand, after others had tried to patch up an explanation, and hurried into print against all the usages of the Government, without being the moment that he had only aware at botchea J. B. ought to the case worse than before. He has sacrificed everything to the South, but will be answered withthe same ingratitude at Charleston that was admin-On the other hand, our Government has con- agree to send a thousand delegates down to Charles-

be only two cases in which the naturalized citizen is likely to find himself in danger from the claims upon him by his native country. So long as the country of his birth, and the country of his adoption remain at peace with each other, and so long as he avoids going back to set up in his native country his acquired rights as against his original obligations, no claims seem likely to be made upon him on the part of his original sovereign. During the war of 1812, between us and Great Britain, the latter country set up a right on her part to treat! and punish as traitors such native-born British subjects as might be taken in arms against her, notwithstanding they might at the same time be naturalized citizens of the United States. Twentythree Irishmen found among the prisoners taken country should understand what ground the Govby the British at the battle of Queenstown, were denied the treatment of prisoners of war, and were obeen made to reconcile the conflicting principles of sent to England to be tried for treason. This movement was promptly met by the passage of an act of Congress authorizing the President to re- knows that the first, to Le Clerc, represents the taliate on British prisoners of war any treatment which these naturalized citizens might un-; others we've contrived for a political purpose only. dergo; and under the authority of this act the President ordered the close confinement of twentythree British soldiers, to abide the fate of the Irish- side by side as follows: three British soldiers, to abide the fate of the Irishmen taken at Queenstown. Gen. Prevost, then commanding in Canada, responded, under special orders from England, by the close confinement of twice the number of American officers and non-commissioned officers, with a threat, if this practice were continued, of unmitigated severity against the American cities and villages. President Madison replied by shutting up a like number of British officers, and with threats to retort any further severities in which ordered all his prisoners into close confinement—

side by side as follows:

Fetter to Le Clerc, Letter to Hofer, Letter to the American claims mill, 1859.

The position of the United States, as the Indicated July Interview of the United States, as the Unite ordered all his prisoners into close confinementan example which Madison immediately followed. Happily, however, this aggravating system soon came to an end. Some of the imprisoned American officers were released on parole, and were made the bearers of a message that the twentythree Irishmen sent to England had not been brought to trial, but remained on the ordinary footing of prisoners of war. This speedily led to a dismissal on parole of all the officers prisoners on both sides. But the British Government, in thus receding, sought to cover its retreat by a proclamation, recalling all its subjects from foreign service, granting pardons for all past treasons of this sort he on the score of probable ignorance, but threatening to punish as traitors all subjects taken in the service of any hostile Power after four months from the be the candidate by all means. date of the proclamation—an empty threat never attempted to be executed. Nor, indeed, is it likely attempted to be executed. Nor, indeed, is it likely istered to a much higher and better man—Franklin that this claim to the exclusive military service of Pierce—at Cincinnati. If the Democracy will tolits natural-born subjects will ever again be revived, erate a little outside pressure, the Opposition will

ceded that naturalized citizens returning to their ton, free of expense, in favor of J. B.'s nomination, ceded that naturalized citizens returning to their who will cordially assist in shaping public opinion. native country, thereby subject themselves to the And if they will put him up again, a contract can fulfillment of any obligations of military service be made with responsible parties to pay all the exwhich existed against them at the period of their penses of the Democratic campaign, and a nice emigration. Mr. Cass, however, in his latest anwill be open till the meeting of the Convention. nouncement on this subject, makes the distinction that, though if actually in the army or drawn for service at the period of emigration, the obligation to serve still remains good against them; they are not, after their return, liable to any new enrollment, but are entitled to plead against it their

acquired American citizenship.

a fair and pleasant course is expected; but one alone portends stormy mischief. An instinctive acknowledgment of this truth makes us repeat with pleasure to this day the old French maxim, *Noblesse oblige*, whatever annotations history may have to tell of its disregard.*

That philosopher, whom Dante calls il maestro di color che sanno, and whom our science gratefully acknowledges as its own founder, says that man is by nature a political animal. He saw that man can not divest himself of the State. Society, no matter in how rudimental a condition, always exists, and society considered with reference to rights and duties, to rules to be obeyed, and to privileges to be protected, to those that ordain, and those that comply, is the political state. Government was never voted into existence, and the state originates every day anew in the family. God coerces man into society, and necessitates the growth of government by that divinely simple law, which has been alluded to before, and consists in making the young of man depend upon the parents for years after the period of lactation has ceased. As men and society advance, the greatest of institutions—the State—increases in inten-

^{*} In this sense at least Noblesse oblige was often taken, that feudal privileges over feudal subjects involved obligations to them, although it meant originally the obligations due to him who bestowed the nobility.

New York Daily Tribune.

SATURDAY, JULY 16, 1859. A CASS ON NATURALIZATION.

In the shape of a dispatch to our Minister at Berlin, Mr. Cass publishes in The Washington Constitution an apology for and defense of the doctrines announced in some recent letters of his, which have given so great a shock to our adopted citizens. This document begins with denouncing the doctrine of perpetual allegiance as a relict of barbarism. It fully admits the right of expatriation as having been engrafted into the Constitution of the United States, by that clause of it which confers upon Congress the power to establish a uniform rule of naturalization. It alleges that from and after the date of his naturalization (with the exception that he cannot become President of the United States), the naturalized citizen is placed upon the very same footing, both at home and abroad, as the native citizen. Still Mr. Cass justifies the opinion which he gave in his Le Clerc and Hofer letters, on the ground that he had in view in those letters only the cases of naturalized citizens who, at the time they left their native country, were already under obligations of military service, by having been already drafted into the army. He sets up a distinction between these cases and that of those who at the time of their emigration were subject only to a liability to future military service.

The distinction, however, between these two cases does not by any means seem so clear. There is room to apprehend that, in his negotiatiations with the Governments of Germany, Mr. Cass may find himself very hard pressed by the concessions he has himself made. He compares the case of a German subject drafted into the army to that of a British or American soldier who has voluntarily enlisted. He seems to regard the evasion by a German subject of a forced and involuntary service as standing upon the ground of a breach of contract. In the case of a voluntary enlistment, the soldier is personally and individually bound. The obligation has nothing to do with his, citizenship. It is in the nature of a debt which he has himself contracted, and which he may, whenever found within the jurisdiction, and whatever changes of citizenship he may meanwhile have undergone, be reasonably enough called upon to discharge. But in the German military service there is no enlistment. The individual, as an individual, does no act, and contracts no obligation. He is called into the army, and kept there merely by the tie of his allegiance-merely by the fact that he is the subject of such or such a State, Now, if it be true, as Mr. Cass alleges, that the moment a foreigner becomes naturalized, his allegiance to his native country is severed forever; if, to use Mr. Cass' figure, he is born anew, and if, in consequence, broad and impassable line separates him from hi native country, how is it possible that an obligation to render military service which had no other basis

except the mere fact of his birth within that country, and his allegiance to the sovereign of it, can survive his new birth and the total extinction of that former allegiance?

The entire extinction by the act of naturalization of all allegiance to any foreign state or potentate would seem to carry with it the simultaneous extinction of all the consequences or results of such allegiance—among the rest the extinction of alf obligations to render military or any other service, where no personal contract exists, and where the service was morely an incident to the allegiance.

What difference in fact is there—and this is a question which the German Governments will be likely to call upon Mr. Cass to answer—between a future liability and a present liability to military service, when both the one and the other grow out of the inere fact of birth; independent entirely of any consent or cooperation on the part of the individual liable? If a new birth, a change of citizenship does not extinguish the one liability, as Mr. Cass seems to admit that it does not, it will perhaps not be easy to convince the German Governments that it extinguishes the other.

It is very unfortunate, in view of the tenacity lamented by Mr. Cass with which the German Governments cling to the military service of those who once owed allegiance to them, that Mr. Cass should himself have put an argument into their mouths of which they will know well how to avail themselves. It would have greatly simplified matters, and probably have hastened a final arrangement of the question had our Government taken the plain and simple ground that all obligations to military service were extinguished simultaneously with the allegiance out of which those obligations arose. But that was too much to expect of the blunderheads of our Democratic Administration. If it had been a question of "niggers," they would have had clear ... ews and a distinct purpose from the beginning; but as it is only a matter of white men, and these of foreign birth, there is no telling when they will come to a rational understanding of the subject.

BOSTON COURIER.....MONDA

an ornamental pedestal, adorned with appropriate bas-reliefs, and crowned with a statue of Perry eight and a half feet in height. On the tablets beneath the statue are to be the arms of the States of Rhode Island and Ohio. The whole structure is to be of Italian marble. It will be completed, it is expected, by Sept. 10, 1860. Mr. Wallcutt is already engaged on the model of the statue.

The Baden Government has recently made some declarations regarding the Expatriation question. It is declared that the government of Baden does not require American naturalized citizens, who have been subjects of Baden, to perform duty there in case they return, even if they have emigrated without consent—that is, if they return merely for a visit. It is presumed that the Expatriation controversy here, and the last letter of Gen. Cass, has had a wholesome influence abroad.

those that infringe the common rules of action, with the science and art of rightful and sensible punition, or, as I have ventured to call this branch, of penology.

The comprehensive apparatus by which all these objects, more or less dimly seen, according to the existing stage of civil progress, are intended to be obtained, and by which a political society evolves its laws, is called government. I generally give at this stage a classification of all governments, in the present time or in the past, according to the main principles on which they rest. This naturally leads to three topics, the corresponding ones of which, in some other sciences, form but important illustrations or constitute a certain amount of interesting knowledge, but which in our science constitute part and parcel of the branch itself. I mean a historical survey of all governments and systems of law, Asiatic or European; a survey of all political literature as represented by its prominent authors, from Aristotle and Plato, or from the Hindoo Menu, down to St. Simon or Calhoun—a portion of the science which necessarily includes many historians and theologians on the one hand, such as Mariana, De Soto and Machiavelli, and on the other hand statesmen that have poured forth wisdom or criminal theories in public speech, Demosthenes or Webster, Chatham, Burke, Mirabeau or Robespierre and St. Juste. And

LEGATION OF THE UNITED STATES,

BERLIN, MAY 14, 1859. I ask that you will make known through your journal to the many naturalized citizens of the United States residing in the States of Louislana and Mississippi, who

were formerly Russian subjects, that it is very imprudent for them to leave the United States with the intention of returning temporarily to Russia, unless they have proviously made the necessary inquiries as to permission

Many such citizens are under the impression that the Emperor Alexander II. of Russia has proclaimed an unqualified amnesty, but such is not the case. The distinguished Russian Minister, Baron Brunnow, has informed me that his Government has never destroyed its "black list;" and that if the sir name of an applicant for a vise upon his passport is found upon that list the

In consequence of the present military preparations in Russia its Government will doubtless be stricter now

E. G. W. BUILER, Jr.

Very respectfully,

Correspondence of the New Orleans Picayune.

NATURALIZED RUSSIAN CITIZENS.

from the Russian Government.

vise may not be granted. * * *

than ever.

have constructed as ideal polities, attention must be directed to the striking fact that all Utopists, from Plato to our times, have been more or less communists, making war upon money, although so shrewd and wise a man as Thomas More was among them; and that most of these writers, even Campanella, though a priest of the catholic church, and all societies in which communism has been carried out to any extent, have made light of monogamic wedlock, or have openly proclaimed the community or a plurality of wives.*

* Auguste Comte, who was generally considered the most serious and most able atheist, yet known in the annals of science, as long as his Positive Philosophy was the only work that attracted attention, makes one of the exceptions. In his Catechism of Positive Religion, which belongs to the Utopian literature, proclaiming the regeneration and the reconstruction of all human society, and covering it with the ægis of a paper-system rubricked according to a priestly socialistic Cæsarism, nevertheless acknowledges monogamy, and individual property in a considerable degree. The work, however, amply makes up for these omissions, by an incredible amount of inane vagaries, self-contradictions and that apotheosis of absolutism, "organizing" all things and allowing inherent life nowhere, which is the idel of Gallican sociologists, as the fallen Romans burnt incense to the images of their emperors even while living, or rather as long as they lived; for, so soon as the emperor was dead, his memory was often senatorially cursed, and his images were decreed to be broken. Power was the only thing left, when the introduction of the many thousands of gods, from the conquered countries, neutralized all sense of religion, and power was worshiped accordingly. The Suetoniana of the nineteenth century are not wholly dissimilar.

Nothing has probably ever shown so strikingly the inherent religious character of man as Comte's apotheosis of atheism, and his whole "catechism," sprinkled as it is with prayers to the "supreme being," which being, to be sure, is void of being and cannot, therefore, very well be possessed of supremacy.

From time to time great men have declared what they considered the greatest of evils. Aristotle says, "The fellest of things is armed injustice." Bacon declares that the greatest of evils is the apotheosis of error; but, somehow, men seem always to contrive to prove that there may be still greater evils.

We have our protestant counterpart to Campanella in the Rev. Martin Madan, the author of Thelypthora, a Defense of a Plurality of Wives. Hostility to individualism in property has generally been accompanied by a hostility to exclusive wedlock, in antiquity and modern times, and I believe I am not wrong when I add, very often by a leaning to pantheism, in the sphere of religion. But the Utopists are not the only communists. Paley, who would have shrunk from being called a communist, nevertheless explains individual property on the mere ground of his "expediency" and in a manner which the avowed communists of our times—Quinesset and Proudhon have been willing to accept, only they differ as to the expediency, and why not differ on that? Paley and the larger portion of modern publicists maintained, and even Webster asserted on a solemn occasion,* that property is the creature of government. But government is the agent of society, so that, if the same society should see fit to change the order of things, and to undo its own doing, no objection can be made on the ground of right and justice. Rousseau says, indeed, that the first fence erected to separate land from the common stock, brought misery

^{*} It was the perusal of this assertion by Mr. Webster, in a speech in Ohio, in 1828, which first led the author to reflections which were ultimately given in his Essays on Labor and Property. He totally denies that property is the creature of government.

upon men, and Proudhon formulated this idea when he said: Property is theft; but the point of starting is common to all.

The radical error of the communist consists in his exclusive acknowledgment of the principle of socialism, and that he endeavors to apply it even to that which has its very origin and being in individualismto property. Man can not exist without producing; production always presupposes appropriation; both are essentially individual, and where appropriation consists in occupation by a society as a unit, this is no less exclusive or individual property, with reference to all other societies, than the property held by a single man. The communist does not seem to see the absurdity of demanding common property for all men in France, upon what he considers philosophic grounds, yet excluding the rest of mankind from that property. The radical error of the individualist, on the other hand, is, that he wholly disavows the principle of socialism, and, generally, reasons on the unstable and shaking ground of expediency alone. He forgets that both, individualism and socialism, are true and ever-active principles, and that the very idea of the state implies both; for, the state is a society, and a society consists of individuals who never lose their individual character, but are united by common bonds, interests, organizations and a common

quity, in property and in the rights of man, with all that flows from them; and socialism is far more clearly developed with us than with the Greeks or Romans, in primary education, charity, intercommunion by the liberty of the press or the mail, the punitary systems, sanitary measures, public justice and the many spheres in which the united private wants have been raised to public interests, and often passed even into the sphere of international law. Christianity, which, historically speaking, is a co-efficient of the highest power of nearly all the elements of humanity and civilization, has had an intensifying effect on individualism as well as on socialism. There is, perhaps, no more striking instance of a higher degree of individualism and socialism developed at the same time, than in the administration of penal justice, which always begins with private revenge and gradually becomes public justice, when the government obliges every one to pay toward the punishment of a person that has directly injured only one other individual. Yet individualism is more developed in this advanced administration of justice, inasmuch as it always pronounces clearer and clearer, and more and more precautions are taken, that the individual wrong-doer alone shall suffer. There is no atonement demanded, as was the case with the Greeks, but plain punishment for a proved wrong, so that, if the crime is proved but not

the criminal, we do not demand, on the ground of socialism, the suffering of some one, which the Greeks frequently did.

Act on individualism alone, and you would reduce society to a mere crowd of egotistical units, far below the busy but peaceful inmates of the ant-hill; act on socialism alone, and you reduce society to loathsome despotism, in which individuals would be distinguished by a mere number, as the inmates of Sing Sing. Despotism, of whatever name, is the most equalitarian government. The communist forgets that communism in property, as far as it can exist in reality, is a characteristic feature of low barbarism. Herodotus tells us what we find with existing savages. Mine and Thine in property and marriage is but dimly known by them. The communist wants to "organize," as he calls it, but in fact to disindividualize everything, even effort and labor, and a garden of the times of Louis XV., in which the ruthless shears have cramped and crippled every tree into a slavish uniformity, seems to delight his eye more than a high forest, with its organic life and Hobbes, who, two centuries ago, passed freedom. through the whole theory of all-absorbing power conveyed to one man by popular compact, which we now meet with once more in French Cæsarism, defined religion as that superstition which is established by ment of combined judgment and justice, acting under the genial light of culture and religion—on International Law, that law which has gathered even the ocean under its fold. The ancients knew it not in their best time; and life and property, once having left the shore, were out of the pale of law and justice. Even down to our Columbus, the mariner stood by the helm with his sword, and watched the compass in armor.

Political science treats of man in his most important earthly phase; the State is the institution which has to protect or to check all his endeavors, and, in turn, reflects them. It is natural, therefore, that a thorough course of this branch should become, in a great measure, a delineation of the history of civilization, with all the undulations of humanity, from that loose condition of men in which Barth found many of our fellow-beings in Central Africa, to our own accumulated civilization, which is like a rich tapestry, the main threads of which are Grecian intellectuality, christian morality and trans-mundane thought, Roman law and institutionality, and Teutonic individual independence, especially developed in Anglican liberty and self-government.

Need I add that the student, having passed through these fields and having viewed these regions, will be the better prepared for the grave purposes for which this country destines him, and as a partner in the great commonwealth of self-government? If not, then strike these sciences from your catalogue. It is true, indeed, that the scholar is no consecrated priest of knowledge, if he does not love it for the sake of knowledge. And this is even important in a practical point of view; for all knowledge, to be usefully applied, must be far in advance of its application. It is like the sun, which, we are told, causes the plant to grow when he has already sunk below the horizon; yet I acknowledge without reserve, for all public instruction and all education, the token which I am in the habit of taking into every lecture room of mine, to impress it ever anew on my mind and on that of my hearers, that we teach and learn:

NON SCHOLÆ SED VITÆ, * VITÆ UTRIQUE.

* Seneca.

ADDRESS.

San Arabara and Barana

THE first, and surely the most difficult duty assigned to me by the Board of Trustees, is that of explaining to a popular audience the nature of Mathematical Science—the forms of its language—its uses as a means of mental training and development—its value as the true basis of the practical—the sources of knowledge which it opens to the mind and the place which it should occupy in a justly balanced system of Collegiate instruction.

The term Mathematics, as used by the ancients, embraced every known Science and was also applicable to all other branches of Knowledge. Subsequently, it was restricted to those more difficult subjects which require continuous attention, severe study, patient investigation and exact reasoning; and such subjects were called Disciplinal, or Mathematical.

Mathematics, as a science, is conversant about the laws of Numbers and Space. The two abstract quantities, Number and Space, are the only subjects of Mathematical Science. The laws which are evolved in the processes employed in searching out the elements

of these abstract quantities, in discussing their relations, and in framing a proper language by means of which these relations can be recorded and a knowledge of them communicated, constitute the Science of Mathematics. The faculties of the mind chiefly employed in the cultivation of this Science are simply, the apprehension, the judgment and the reasoning faculty.

The term quantity, applicable both to number and space, embraces but eight classes of units: 1st, Abstract Units; 2d, Units of Currency; 3d, Units of Length; 4th, Units of Surface; 5th, Units of Volume; 6th, Units of Weight; 7th, Units of Time; and 8th, Units of Angular Measure.

The laws which make up the Science of Mathematics are established in a series of logical propositions, deduced from a few self-evident notions of these unities, which are all referred to number and space. All the definitions and axioms, and all the truths deduced from them, by processes of reasoning, are therefore traceable to these two sources.

In mathematics, names imply the existence of the things which they name, and the definitions of those names express attributes of the things. Hence, all definitions do, in fact, rest on the intuitive inference that things corresponding to the words defined have a conceivable existence as subjects of thought, and do, or

Mathematical language: the language of Number, of which the elementary symbols are the ten figures: the language of Geometry, of which the elements are the right line and the curve; and the more comprehensive language of Analysis, in which the quantities considered, whether numerical, concrete, or appertaining to space, are represented by letters of the alphabet. These three forms of language are the basis of classification, and the science of mathematics is divided into three corresponding parts: Arithmetic, Geometry, and Analysis.

The alphabet of the Arithmetical language contains ten characters, called figures, each of which has a name, and when standing by itself indicates as many things as that name denotes. There are but three combinations of these characters—the first is formed by writing them in rows—the second by writing some of them over or under others—and the third, by means of the decimal point. This language, having ten elements and three combinations, is more simple, more minute, and more exact than any other known form of expressing our thoughts. It records all the daily transactions of the world, involving number and quantity. The yearly income—the accumulation of property—the balance sheets of mercantile enterprise are all expressed in numbers, and may be written in figures. These ten little characters are not only the sleepless sentinels of trade and commerce, but they also make known all the practical results of scientific labor.

The language of Geometry is pictorial, and has but two elements, the straight line and curve. The combinations of these simple elements give every form and variety of the geometrical language. Distance, surface, volume and angle, are names denoting portions of space. Under these four names every part of space, in form, extent and dimension, is represented to the mind by means of the straight line and This language is both simple and comprehensive. The shortest distance—the curve of grace and beauty—the smooth surface and the rugged boundary are alike amenable to its laws. It presents to the mind, through the eye, the forms and relative magnitudes of all the heavenly bodies, and, also, of the most minute and delicate objects that are revealed by the microscope. It is the connecting link between theoretical and practical knowledge in the mechanic arts, and the only language in which science speaks to labor. All the works of Architecture, Sculpture and Painting, are but images of the imagination until they assume the geometrical forms.

The language of analysis is more comprehensive than the language of figures or the pictorial language of geometry; indeed, it embraces them both.

Its elements are the leading and final letters of the alphabet, and a few arbitrary signs. The combinations of these elements are few in number and simple in form; and from these humble sources are derived the fruitful language of analytical science. This language is minute, suggestive, certain, general and comprehensive. It will express every property and relation of number-every form which the imagination has given to space—every moment of time which has elapsed since hours began to be numbered —and every motion which has taken place since matter began to move. One or the other of these three forms of mathematical language is in daily use in every part of the world, and especially so in every place where science is employed to guide the hand of labor-to investigate the laws of matter-or to enlarge the boundaries of knowledge.

Of all mysteries, none is greater than the mystery of language. The invisible essence which we call mind, holds no communion with other minds, except through the double system of signs, the language of the eye and the language of the ear. Destroy the power of language, and the lights of knowledge would be extinguished. Man would live only in the present. The past and the future would be equally beyond his reach. Through language we look back over the records of the past, and trace the progress

of our race through all its vicissitudes and changes from the very cradle of Creation. The wisdom of philosophy—the power of eloquence—the graces of rhetoric and the inspirations of poetry, thus become the property of every age and the common heritage of mankind. Scientific language reaches even over a wider field. The laws of the material world are the truth's which it records, and the thoughts of God, manifested in all the works of the visible creation, are the treasures of its literature.

The first step in mental training is to furnish the mind with clear and distinct ideas, with settled names; each idea and its name being so associated that the one shall always suggest the other. The ideas which make up our knowledge of mathematics fulfill exactly these requirements. They are expressed in a fixed, definite and certain language, which in all its elementary forms may be illustrated by images or pictures, clear and distinct in their outlines, and having names which suggest at once their characteristics and properties.

By means of visible representations of lines, surfaces and volumes, the mind contemplates the abstract, as it were, with a thinking eye. Form, figure, distance, space, and the laws relating to them, are thus rendered familiar through the visibility of picto-

rial representations. This pictorial language imparts a deep interest, both from its certainty and its influence on the imagination—it attracts and animates the minds of the young, and gradually prepares them for those higher abstractions and mental efforts, of which they are at first incapable.

Most of the errors and conflicts in the Schools of Philosophy have arisen from the double or incomplete sense in which words are employed. The terms are all defined in a common language, but there is no fixed standard beyond the language itself. Each term is viewed from a different stand point, and, like the rainbow painted on the clouds, is different to every spectator, though apparently the same.

Mathematics is free from all such sources of mistake and error. There is no other subject of knowledge in which there is that exact equivalency between the thought and its sign. Number and Space, in all their elementary combinations, may be presented to the mind by pictorial representations. The senses are thus brought to the aid of the conceptive powers, and by means of this double language, the forms, attributes and laws of magnitude, are explained and verified.

The study of mathematics accustoms us to the strict use of this exact and copious language, in which all the terms are exponents of distinct crystallized ideas. Using these terms as instruments of reasoning, we advance with a steady step, secured from the sources or causes of error which are concealed under uncertain or conflicting meanings.

Knowledge is a clear and certain conception of that which is true. Its elements are acquired through the medium of the senses, by observation, experiment and experience; and these three indicate certain relations which the elements bear to each other, and which we express under the general name of law. Law, therefore, is a term of generalization, denoting an order of sequence in phenomena, whether in the material or spiritual, the animate or inanimate world. This order and connection are not obvious to the senses. They are the hidden treasures of knowledge, and are only discovered and brought to light by the highest exercise of the reasoning faculty.

Since the time of Aristotle, the exact law which governs the reasoning faculty has been well known. By careful analysis and a profound generalization, he subjected every principle of deductive reasoning to a single law, expressed by the dictum, and indicated every operation of that law in the syllogism. The system was yet incomplete. The major premise, on which the whole fabric rested, was assumed, not proved. Bacon supplied this deficiency, in showing that all our knowledge rests, ultimately, on the

hypothesis of the uniform operation of the laws of nature, and that such uniformity may be inferred by the reasoning faculty, from a collection and comparison of facts, furnished by observation, experiment and experience. This completed the golden circle of logic, and subjected all the laws of nature to the processes of science.

It becomes, therefore, an important inquiry how far the study of mathematics is a means, in the cultivation of the reasoning faculties, through which we derive our scientific knowledge—how far it is a useful gymnastic of the mind—what mental habits it inculcates, and what developments it produces. We have already adverted to its clear, precise, and comprehensive language, and to the elementary ideas, which that language impresses on the mind. Are these ideas isolated—incapable of classification and wanting in the attributes necessary to a logical arrangement?

It is the chief excellence of mathematical science, regarded as a means of mental training, that the definitions and axioms are the prolific sources of every deduction. They are the ultimate premises to which every principle can be referred, and the law of connection which binds together all the truths of this complex system, is the simple law of the syllogism.

Mathematical reasoning, so far as the logic is concerned, is precisely the same as any other kind of reasoning. It differs from other methods only in the greater preciseness of its language, the nature of the subject and the more obvious relations of the premises to each other, and to the conclusion. It has been urged that these differences are detrimental, rather than useful, in the development of the reasoning faculty—that the exact equivalency between the idea and the language, the fixed and obvious relation of the premises to each other and to the conclusion, leave no scope for originality in the mental processes, and that truth is thus evolved mechanically, rather than intellectually. Another objection has also been found, in the fact that the matter in the mathematical processes is certain, while in all other cases it is contingent—and that to deal with what is certain, in accordance with obvious and fixed laws, disqualifies the mind to deal with what is probable according to laws less obvious and rigorous.

In regard to the second objection, it is quite certain that the degree of probability, in any given case, can only be determined by comparing what is contingent with what is certain—certainty being assumed as the standard—all inferences are relied upon as they approach this standard, and distrusted

as they recede from it. Hence, in all systems of intellectual training, having in view the cultivation of the reasoning faculty, the mind should be accustomed to contemplate that which is certain, in order that it may form a true estimate of that which is contingent or probable.

How far the laws which regulate and control the processes of mathematical reasoning are merely mechanical, and how far their study and contemplation confine the mind to a mere routine, is best answered by a careful and searching analysis. The processes begin with obvious and elementary truths, defined by a precise language, and aided, if need be, by pictorial representations. They then advance step by step in a series of regular and dependent gradations, developing the concealed and sublime properties of number and space. These trains of demonstrative reasoning produce the most certain knowledge of which the mind is capable. They establish truth so clearly that none can deny or doubt. The premises are not only certain, but the most obvious truths which can be presented to the mind, and the conclusions result from the most palpable relations of the premises to each other. What discipline can better train the mind to diligence in study—to close and continuous attention—to habits of abstraction and to a true logical development?

A wide distinction must be made between those processes of mathematics which are merely mechanical and that knowledge of the laws of the science which develops and applies those processes. The calculating machine is a mere instrument, but the discovery and application of the laws of its construction are among the highest efforts of genius. If the machine were dashed to pieces, it could be remodeled, for the law of its construction is known. The conception, therefore, is not mechanical because it is manifested by mechanical agencies. Descartes brought all space within the range and power of analysis, by new methods of representing lines and surfaces. Newton's sublime conception of the law of universal gravitation is developed in the language of Geometry. Does it follow, because the processes of Geometry and the rules for solving equations are reduced to fixed principles and settled methods, that the ubjects to which they may be applied are limited in their nature? or, that the contemplation of these subjects. through this, the only language in which they can be presented to the mind, is likely to give a contracted or one-sided development?

Mathematical Science deals with Number, Space, Time and Motion. Each is a type of the Creator, infinite in itself, and all are under the dominion of universal laws. In the development of these laws, in a language free from obscurity, and in a logic above the influence of passion, sophistry and prejudice, the mind acquires an intensity and ardor which lift it above the strife and petty controversies of earth, into the sphere of the intellectual and absolute. A theorem demonstrated is an indestructible truth; but this is not all, it is connected with antecedent truths of the same kind, and is also a guaranty of our success in new efforts to enlarge the boundaries of knowledge.

In the construction of the mathematical science, we begin with the axiom and proceed from proposition to proposition, under the guidance of a rigorous logic, till we reach the boundaries of that intellectual region which has been already explored. Here we pause, but do not stop; for beyond are hidden truths which excite our innate desire to know, and an ambition and hope of progress. So, when we stretch out the mathematics to explain and embrace the philosophy of the heavens, we proceed from our own planet, in regular gradations, till we reach the remotest orb of our system. Still further on, we enter the region of Arcturus, Orion, the Pleiades and the Milky Way; and, even beyond the smallest star whose light has reached the earth, is unmeasured space, yet perhaps to be surveyed by more perfect instruments, and measured by the known laws of mathematical science.

"There is good room to ask whether the peculiar energy of what might be called the mathematical soul does not carry with it a deep meaning, and declare the truth of man's destination at the first, and of his destiny still to take a place and to act a part in a world of manifested truth and eternal order. Do we venture too far in saying that, when mathematical abstractions of the higher sort take possession of a vigorous reason, there is placed before us a tacit recognition (one among several, all carrying the same meaning,) of the fact that the human mind is so framed as to find its home nowhere but in a sphere within which the absolute and the unchangeable shall stand revealed in the view of the finite intelligence?"*

The term "practical," in its common acceptation, often denotes shorter methods of obtaining results than are indicated by science. It implies a substitution of natural sagacity and "mother wit" for the results of hard study and laborious effort. It implies the use of knowledge before it is acquired—the substitution of the results of mere experiment for the deductions of science, and the placing of empiricism above philosophy. But give to "practical" its true and right signification, and it becomes a word of real

^{*} Isaac Taylor.

import and definite value. In its right sense, it denotes the best means of making the true ideal the actual: that is, of applying the principles of science in all the practical business of life, and of bodying forth in material form the conceptions of taste and genius.

Beyond the obvious application of simple and known principles, the whole problem of the practical lies in the measurement, modification and best uses of the forces of nature. In all the uses and applications of these forces, material substances are employed, and these must be fashioned according to certain forms indicated by scientific formulas. These formulas are constructed from the laws which regulate the cohesion of the particles of the substance employed—the nature of the force to be applied—the amount of that force and the ultimate end to be attained. All these fixed laws of force—all their combinations—and all the forms of the materials employed in using them for practical purposes, can only be reached through the processes and language of mathematics.

Machines and workshops afford marked illustrations of the utility and value of mathematical science, and, in their resolution of difficult practical problems, furnish a striking exhibition of the power of mind over matter. Any one, introduced for the first time to the interior of one of our great factories, would doubtless regard with no small perplexity the equip-

ment and play of so many variously directed instruments of motion—the great size and extent of the whole structure—the jar which startles at first, but by the steadiness of its pulsations soon persuades you to take the cadence and measure of the great machine, and to appropriate, as it were, a share of the producing power—and it would be strange if you were not also persuaded that all this bewildering procession of complex returning movements must be under the guidance of some great scientific law.

All the parts of that complicated machinery are adjusted to each other, and were indeed so arranged, according to a given plan, before a single wheel was formed by the hand of the forger. The power necessary to do the entire work was first carefully calculated, and then distributed throughout the ramifications of the machinery. Each part was so arranged as to fulfill its office. Every circumference and band and cog, has its specific duty assigned to it. They are connecting parts of an entire practical scientific system, over which one of the parts, fitly called the governor, is most ingeniously appointed to preside. It is the function of this apt and beautiful contrivance to regulate the force which shall drive the whole, according to a uniform speed; and it performs the office with such sensibility and seeming intelligence, that, on the slightest increase of velocity, it commences and executes, with easy gradations, a diminution of the moving force of the machine, and as instinctively calls up additional power the moment that the speed slackens. All this is the result of calculation. When the curious shall visit these exhibitions of ingenuity and skill, let them not suppose that they are the offspring of chance and experiment. They are the embodiment, by intelligent labor, of the results of the most difficult investigations of science.

The Steamship affords another impressive illustration of theoretical and practical science. Observe her form-how perfect in all its parts-how beautiful in outline—how exact in proportion. See how gracefully she rests upon the water, which she scarcely seems to touch. On the upper deck, the masts and ropes, the yards, the spars, the booms and sails, are all adjusted to the proper angle and are the instruments by which the power of the wind is pressed into the service of commerce. But this is not the power on which she relies. The great mechanical contrivance, to which I have alluded, which just now shook the earth with its jar, is to be readjusted and folded within a structure having its own peculiar form and limits, designed for special functions and moving on a new element. The source of power is a simple change in the form of a fluid. The massive cylinders, the huge levers, the lifting and closing valves are contrivances to convey this power to the water wheels, where the resistance of the water, according to known laws, transfers it to the ship itself.

Over all this complication of machinery—over all this variety of principle and workmanship, science has waved her magic wand. There is not a cylinder whose dimensions were not measured—not a lever whose power was not calculated, nor a valve which does not open and shut at the appointed moment. There is not, in all this structure, a bolt, a screw, or rod which was not provided for before the great shaft was forged, and which does not bear to that shaft a proper proportion.

The language of Geometry and Number furnished the architect with all the signs and instruments of thought necessary to a perfect ideal of his work, before he took the first step in its execution. It also enabled him, by drawings and figures, so to direct the hand of labor as to form the actual after its pattern—the ideal. The various parts may be constructed by different mechanics, at different places, but the law of science is so certain that every part will have its right dimensions, and when all are put together they form a perfect whole.

When the work is done and the ship takes her

departure for another continent, a small piece of iron, a few inches in length, poised on its centre, under the influence of a known force, is the little pilot which guides her over trackless waters. Science has also provided, for daily use, maps and charts of the port which she leaves, of the ocean to be traversed and of the coasts and harbors which are to be visited. On these are marked the results of much careful labor. The shoals, the channels, the points of danger and the places of security, are all indicated. Near by hangs the Barometer, constructed from mathematical formulas, to indicate changes in the weight of the atmosphere and give warning of the approaching tempest. In close proximity are the Sextant and the Tables of Bowditch. These are the simple contrivances which science has furnished to correct the errors of the needle, by observations on the heavenly bodies, and to determine the exact position of the vessel at any moment of the voyage. Thus, practical science, which determined the form of the vessel best adapted to a given velocity, which measured and distributed the propelling force and which guided the hand of the mechanic in every workshop, is, under Providence, the means of conducting her in safety over the ocean. It is, indeed, the cloud by day and the pillar of fire by night.

The construction of railways is a recent and most important application of science. The mechanic arts, commerce and civilization have all received an impulse in this new development of power. The chariots of commerce, which rush with such dizzying velocity over the iron bands which now nearly encircle the globe, are all guided by immutable laws that have been carefully developed by the aid of diagrams and equations. When you see the long train, with its locomotive, ascending the mountain, fear not, for science traced the curve and balanced the forces. When the mountain is to be pierced instead of being scaled, a few lines drawn on paper indicate the precise points, at the opposite extremities, where the work is to be begun; and after years of labor the two working parties meet near the centre, and in the exact line established before the ground was broken.

In every case where power is employed, either to produce motion or to maintain a state of rest, the mechanical principle of force and resistance must be considered and discussed. Mathematics is the only form of language which connects science with all the mechanic arts and guides the hand of labor as it bodies forth the conceptions of the mind. It is, therefore, the only true basis of the practical; and perhaps it is not too much to add, that whatever is

true and just in the practical is the actual of an antecedent ideal.

Material objects are the first things which attract our notice. We behold the earth filled with products and teeming with life. We note the return of day and night at regular intervals—the coming of summer and winter, and the succession of heat and cold. We see the sun in the firmament—we turn our eyes to the starry heavens and behold the sentinels of night as they look down upon us. Facts, often observed, suggest the idea of causes—and, when science scatters her light over the pathway of the past and the future, we learn the existence of general laws imparted by the flat of Him who created all things—and come to understand that mind in all its attributes, and matter in all its forms, are subject to those laws—and that their study is the noblest employment of our intellectual nature.

To the uneducated man, all the world is a mystery. He does not see how so great a uniformity can exist with the infinite variety which pervades every department of nature, animate and inanimate. In the animal kingdom no two of a species are exactly alike; and yet the general resemblance and conformity are so close that the Naturalist, from the examination of a single bone, finds no difficulty in determining the

species, size and structure of the animal. So, also, in the vegetable and mineral kingdoms, where all the structures of growth and formation, though infinitely varied, are yet conformable to like general laws.

The wonderful mechanism displayed in the structure of animals was but imperfectly understood, until analyzed and illustrated by the principles of science. Then, a general law, applicable to every case involving power and motion, was found to pervade the whole. Every bone is proved to be of that length and diameter best adapted to its use—every muscle is inserted at the right point, and works about the right centre—the feathers of every bird are shaped in the best form, and the curves in which they cleave the air are the best adapted to velocity. It is demonstrated, that in every case, and in all the varieties of form, in which forces are applied, either to increase power or gain velocity, general laws have been established to produce the desired results. Thus science makes known to us the foreknowledge and wisdom of the Creator.

But inanimate nature also speaks to us in the language of general laws, and it is in the investigation and interpretation of these laws that mathematical science finds its widest range and its most striking applications. Experience, aided by observation and

enlightened by experiment, is the recognized fountain of all knowledge of nature. On this foundation Bacon rested his philosophy. He saw that the deductive process of Aristotle, in which the conclusion does not reach beyond the premises, was not progressive. might, indeed, improve the reasoning process, cultivate habits of nice discrimination and give great proficiency in verbal dialectics; but the basis was too narrow for that expansive philosophy which was to unfold and harmonize all the laws of nature. Hence, he suggested a careful examination of nature in every department, and thus laid the foundations of a new philosophy. Nature was to be interrogated by experiment; observation was to note the results and gather the facts into the store-house of knowledge. Facts, so obtained, were subjected to analysis and collation, and from such classification general laws were inferred, by a reasoning process called Induction.

This new philosophy gave a startling impulse to the mind, and to knowledge. Its subject was nature—material and immaterial; its object, the discovery and analysis of those general laws which pervade, regulate and impart uniformity to all things; its processes, experience, experiment and observation for the ascertainment of facts, analysis and comparison for their classification, and the reasoning process for

the establishment of general laws. But the work would have been incomplete without the aid of deductive Science. General laws, deduced from many separate cases, by induction, needed additional proof; for they might have been inferred from resemblances too slight, or from coincidences too few. Mathematics affords such proofs.

Every branch of natural philosophy was originally experimental; each generalization rested on a special induction, and was derived from its own distinct set of observations and experiments. From being sciences of pure experiment, or sciences in which the reasonings consist of no more than one step, and that step an induction, all these sciences have become, to some extent, and some of them in nearly their whole extent, sciences of pure reasoning: thus, multitudes of truths, already known by induction, from as many different sets of experiments, have come to be exhibited as deductions, or corollaries from inductive propositions of a simple and more universal character. Thus, Mechanics, Acoustics, Optics and Chemistry, have successively been rendered mathematical: and Astronomy was brought by Newton within the laws of general mechanics.

The substitution of this circuitous mode of proceeding, for a process apparently much easier and more natural, is held, and justly too, to be the great-

est triumph in the investigation of nature. But it is necessary to remark that although, by this progressive transformation, all sciences tend to become more and more deductive, they are not, therefore, the less inductive: for every step in the deduction rests on antecedent induction.*

We can now, therefore, perceive what is the generic distinction between sciences which can be made deductive, and those which must, as yet, remain experimental. The difference consists in our having been able, in the first case, and not in the second, to establish a set of first inductions, from which, as from a general law, we are able to draw a series of connected and dependent truths. For example, when Newton, by observing and comparing the motions of several of the bodies of the solar system, discovered that each, whether its motions were regular or apparently anomalous, conformed to the law of moving around a common centre, urged by a centripetal force, varying directly as the mass and inversely as the square of the distance, he inferred the existence of the law for all bodies; and then demonstrated, by the aid of mathematics, that no other law could produce such motions. This is the most striking example which has yet occurred of the transformation, at a single stroke, of a science, which was in

a great degree experimental, into one purely deductive.

It is in the great problem of the solar system that mathematical science displays its omnipotent power. The sun himself, manifesting his inexpressible glory by the floods of golden light which he scatters through the immensity of space, is yet subjected to the analytical formula, and must confess to it, from his more than imperial throne—his exact dimensions —his weight and balancing power, and his relative importance when compared with the smallest mote which his own light has revealed. It is thus that the intellectual power, aided and stimulated by the processes of mathematical science, has been able to trace backwards, to the earliest past, all the motions of the heavenly bodies and to bring the remotest future of the planetary system within the range of its computations. It is thus that man, inhabiting one of the smallest planets of the system, computes the celestial cycles and determines all the laws of the movement of the celestial machinery.

He has done even more than this. Those vagrant bodies of the heavens which occasionally visit our system, and which seem to have escaped from their own spheres and to wander heedlessly through space, are yet subjected to the power of analysis. A few observations, made by the practical astronomer, afford the necessary elements for computing the forms of their orbits and their periodic times; and in distant years, at the indicated moment, the comet again blazes in the sky. In short, before this august power all nature yields up the mystery of her laws. If, then, we would enter her spacious temple, and seek after the knowledge which is there, let us not forget the Aladdin's lamp of mathematical science, which, being properly touched, will disclose more treasures than have ever been described in Eastern fable.

The place which mathematics should occupy in a system of collegiate instruction is an inquiry of the gravest import, and necessarily involves the question, What should be the nature of the system itself?

It was stated, in the opening address, on the highest authority, "that the end of a liberal education is the general and harmonious evolution of all the faculties and capacities of the mind in their relative subordination." It is not the base, nor the massive shaft, nor the beautiful forms of the capital, which fill the mind as we gaze on the Corinthian column; but it is their unity and the general effect of their combination. It is the whole mind, in all its intellectual and emotional faculties, to which the experienced educator addresses himself.

So far as our knowledge extends, we have found

in that mysterious essence, the mind, a faculty adapted to the apprehension of every law, and an emotion corresponding to the contemplation of every May not the reverse of this proposition object. be true? May it not be, that for every faculty of the mind, whether intellectual or emotional, there exists, somewhere, a proper object of contemplation? and that the perfection of our knowledge and being will be attained when all such objects are found? It is in accordance with this law that different studies cultivate different powers of the mind, and that it requires the study of many subjects to give a general and harmonious evolution of all its faculties. Mathematics does not equally cultivate every faculty—it is the massive trunk and outward form, but language, literature, and moral culture, are the sap which ascends within, and which is necessary to give beauty to the foliage and health and harmony to the whole development. All the colors of the rainbow, which are painted on the clouds, are necessary to the perfect light of day—so every light of knowledge is required in the perfect illumination of the mind.

It is the special function of mathematical studies, to cultivate the faculty of abstraction and the habit of intense and continued attention—to establish in the mind a self-centering power that shall subordinate all the intellectual faculties to the control of the will

-to create, as it were, a governor of the intellectual machinery, that will give harmony and uniformity to all its motions. As an elementary formula of logic, it is the most simple and perfect. As a drill, in the structure and use of language, in its primary forms, no exercise insures greater precision in the use of words, or imparts to the mind as certain relations between the signs and the things signified. In its higher branches, it is even an aid in the study of theology: for it constantly raises the mind to the contemplation of the Unchangeable and the Infinite. Mathematics, therefore, is an aid and auxiliary in every other branch of study. It may be pursued too exclusively—the mind may become too much absorbed by its machinery and formulas; but this danger is common to the study of every other subject. A life spent exclusively on the Greek Grammar would not make a Greek scholar; nor can the wide field of deductive reasoning be explored by repeating the formulas of the dictum and syllogism.

Concurring fully in what was said, in the opening - address, concerning the great value of the study of the Greek and Latin languages, and also in the merited eulogium of the manner in which these languages are taught in this institution, I may yet be permitted to say, that there is another language far more comprehensive than either or both of them:

the language of mathematics, which embraces within its ample folds all the laws of the material universe. This language takes us back to the birth of matter, and measures and records every step which each planet has taken since it began to move. Yea, more: it is prophetic—it reveals all future motions, and indicates the precise places which all matter must occupy, at any given instant of future time.

This is the language in which the practical astronomer studies the heavens. It is the telegraphic wire which has enabled him to communicate with every planet of our system—to measure its diameter, its specific gravity, the dimensions of its orbit, its times of revolution and its balancing power in the system of the universe. It is this language which has enabled him to bring the ring of Saturn into his own study, where he sees it face to face, and, as it were, touches the very particles of matter of which it is composed.

This language has enabled the naturalist to trace the dominion of law over all matter endowed with life. The contemplation of the minute objects of creation may appear, at first sight, unworthy the labors of the highest genius—but it is quite otherwise. The turtle's egg, the little gnat whose tiny wings vibrate five hundred times in a second, and the entire solar system, are each an embodiment of a thought of God. Whether we look through the microscope or the telescope, we are equally instructed in the wonders of creative power and universal law.

But science is not all in all. It does not compass the final aim and ultimate end of our being. Though it reaches back to the time when God said "Let there be light and there was light," and forward to the time when "there shall be a new heaven and a new earth"-though it measures all space-though it explains all laws relating to matter and motionthough it transports us to the central point of the physical universe, whence we behold the heavenly hosts moving in celestial harmony: yet, when we approach that mysterious line where the finite terminates and the infinite begins, new visions open to the mind-all science and human knowledge fade away like castellated clouds made brilliant by the setting sun—Faith then arises in supernal beauty, and, with veiled eyes and trembling voice, we confess, "In the beginning was the Word, and the Word was with God, and the Word was God."

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INAUGURAL DISCOURSE

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CHARLES MURRAY NAIRNE, M. A.,

PROFESSOR OF LITERATURE AND PHILOSOPHY,

February, 1858.

ADDRESS.

The subjects assigned to the Professor of Literature and Philosophy in Columbia College are so multifarious, that a notice of each in succession, no longer than a brief newspaper article, would occupy the whole time allotted to the present discourse. Within the narrow bounds to which I am necessarily limited, how much could a man say on the great topics of Universal Grammar, Rhetoric, Logic, Oratory, Æsthetics, Psychology, Ethics, Ancient and Modern Literature, the History of Philosophy, and that finest of all the Fine Arts—the living representation of our thoughts and feelings, by the symbols and the music of our mother tongue? I know no process of intellectual condensation, by which any adequate or interesting account of so many departments of learning could be laid before you, on such an occasion as this. Every one of them would, of itself, furnish materials sufficient to fill full that utmost limit of the American listener's patience—an hour.

Were I to make a selection from the encyclopædia

of arts and sciences that I am appointed to teach, and to group together those three kindred branches, Logic, Grammar and Rhetoric, however unpopular my choice, from so great a variety, might seem, I doubt not that I could unfold to you such views of the human mind, in its operations of thought and expression, as would not fail to excite your curiosity, and command your attention. It would be my duty to show you that man is distinguished from the lower animals, and connected with the nature of angels and of God, by the reasoning faculty; and that, in the use of this faculty, all mankind—from the child to the sage, from the barbarian to the philosopher—are doing precisely the same thing in the self-same waynamely, deducing conclusions from premises. learned are conscious of the syllogistic process, and can reduce their reasonings to the syllogistic form; the unlearned are unconscious of the process, and perform it naturally; nevertheless the process is identical in both; and its discovery is one of the noblest examples of generalization within the whole compass of human knowledge—quite as noble as the law of affinity, which, in fixed proportions, holds together the constituents of matter, or the law of gravitation, which links, by an invisible bond, the spheres of the celestial concave.

I should further have to show you that, as language

is the body of thought—the audible or visible symbolization of the unseen spirit's operations and states —and that as the process of thinking is human common to, and characteristic of, the entire family of man—the propositions, in which thoughts are embodied, must have the same essential form, and consist of the same elements, in every language under heaven. It would thus appear that Grammar is not an art but a science—a department of the great science of mind, possessing deep interest as an intellectual study; and not merely a system of rules for the exercise of school-boys, and the prevention of slips of the tongue. It would appear that, while various nations employ various sounds to designate objects, actions, attributes, and relations, and have thus each a different lexicography, the grammar, properly so called, of all languages is, with the exception of a few idioms and peculiar arrangements in each, the very same; and that it is, in fact, nearly as absurd to talk of Greek Grammar and Latin Grammar, English Grammar and French Grammar, as it would be to talk of Greek, Latin, English and French Logic—Greek, Latin, English and French Chemistry. Logic is logic, and Chemistry, chemistry, in whatever tongue they are employed or expounded; and so, also, Grammar is grammar—the science of the human speech—in Latin or in English, in Greek or in French, in Chinese or

Wherever men speak—wherever the in Choctaw. μέροπες ἄνθρωποι exist—they must of necessity indicate objects, and, therefore, have nouns; actions, and, therefore, have verbs; attributes, and, therefore, have adjectives; relations, and, therefore, have prefixes and suffixes separate or conjoined; and the subject, predicate and copula must be used, as often as mankind have anything to speak of, and something to say concerning it. The distinctions of gender, number and comparison-of person, time, mode, and voice are not arbitrary, but determined by the nature of things. In short, the principles of grammatical science are universal and necessary; and when the grammars of various languages are divested of the absurdities with which pedantry has overlaid them, it will be found that the difference between one tongue and another is simply a difference of vocabulary and arrangement—something to be mastered by the memory, rather than grasped by the understanding—something that can not be reduced to law, unless we receive as philosophy the hypothesis that certain vocal elements are the natural and universal representatives of certain ideas.

I should still further have to show you that, as reasoning and speech are essential attributes of humanity, so, in the use of these for the purposes of convincing and persuading, the same methods of in-

venting arguments, and the same ways of arranging and applying them, are common to every speaker under the sun—to all nations, and kindreds and peoples and tongues—to the Indian chief who harangues his tribe, the diplomatist who negotiates treaties, the legislator who evokes the applause of senates, and the minister of religion who commends salvation to dying men. Real Rhetoric is no conventional mode of dressing up Truth—no mere fashion, changing from year to year, and varying capriciously from beauty to deformity; but a genuine, legitimate Art, founded on universal and immutable principles. It is an art, indeed, to which genius sometimes may attain almost spontaneously, as Homer and Shakespeare did in poetry; nevertheless, like poetry, it has its conditioning laws which the philosopher investigates with pleasure, and which even genius may study with advantage. For genius is no lawless, wayward power. Its own insight discerns the ideals of truth and beauty, and these it publishes to mankind in its own practice. It is the image and vicegerent of Eternal Wisdom, proclaiming the law of Heaven to others, while itself yielding to it a free and loyal obedience.

Or again, quitting abstruse discussion, and choosing a more attractive flower from my garland, I might entertain you with the history and principles of Oratory. Were I to make this selection, it would be my task to describe those mighty masters of eloquence to whose fervid speech the hearts of men have thrilled, and by whom a power was wielded to shape the destinies of nations and the world. I should tell you of Nestor and Ulysses as they utter melodious fascination in the verse of Homer; of Demosthenes, who

"fulmined over Greece
To Macedon and Artaxerxes' throne;"

of Tully, who transformed Athenian vehemence and splendor into Roman stateliness and majesty; of One far greater still, who, sitting on the mountain side, or by the crowded shore, proclaimed as man never spake, and with a celestial dignity beyond the loftiest repose of art, the sublime revelations of life and immortality; and hastening down the stream of time I should glance, as I passed, at the famous preachers and disputants—the Augustines, and Chrysostoms, and Abelards—of the middle ages, till, having crossed the abyss that divides the ancient world from the modern, I should group before you, in their various characters, the most distinguished orators who have flourished since the birth of the Reformation—Luther and Knox, with their rugged impetuosity; the more courtly and classic rhetoricians of the Anglican and Gallican churches, and the stern conscience-searchers of the Puritan meeting-house; the fiery invective of Chatham, and the magnificence of his indomitable son; the glory of Fox, the splendor of Sheridan, and the philosophic gorgeousness of Burke; the forensic brilliancy of Erskine, Curran, and Scarlett; the energetic elegance of Canning, and the dark strength of Brougham; the fearless simplicity of Henry, the logical massiveness of Webster, the prophetic rapture of Edward Irving, and the overwhelming intensity of Chalmers.

And when I passed from the distinguishing characteristics of these and other great masters in oratory, to the nature of eloquence itself, I should show you that the grand secret of power in them all was naturalness and earnestness; and that the attributes which peculiarly belonged to the worthiest of them, were resolute honesty, strong love of man, and a heart-felt adoration of truth.

Or again, if, omitting the laws of reason and speech, and the practical use of these laws by the orator in convincing and persuading his fellows, I were to select from my repertory the subject of Æsthetics, or the Philosophy of Taste, it would be my endeavor to display before you that beauty which clothes all Nature as with a vesture of light, and has its source and

centre in the Eternal, who dwells amid light that is inaccessible and full of glory; and to investigate that susceptibility, unpossessed by the brute—whose eye conveys no sense of loveliness from the loveliest landscape—but bestowed on human beings, and regaling their souls with all those delights of shape and sound, of motion and melody, which reflect, in Creation, the ineffable aspect of the Infinitely Beautiful. would my essay be complete, till, in addition to the objective beauty of God and His works, and the subjective human sensibility that thrills to it, I should speak of those immortal creations, wherein the genius of poet, painter, sculptor, architect, musician, and orator, has enshrined the divine loveliness and sublimity of the universe; and show you how the spirit of every one of them, either consciously or unconsciously, held high converse with Him who, from the beauty of His holiness, sheds over heaven a brightness above the brightness of the sun.

There is what may be termed a language of form, expressed in figure and tone, addressing itself intelligibly to the reason, and exciting in the heart emotions corresponding to every sentiment of rational beings. Man, as rational, has the capacity to understand this language, and, therefore, it is, to a certain extent, known and read of all men; but the language of form must be studied in order to be fully compre-

hended, and the susceptibility must be cultivated, in order to receive all the enjoyment which the language is fitted to awaken. From the intercourse that we are compelled to hold with our fellow-mortals, we learn first to interpret the symbols of beauty in the lineaments of the human countenance, and in the accents of the human tongue. That mysterious thing which we call expression is evidently conveyed by mere shape and sound; and, to become sensible of the wonderful adaptation of these to represent every shade of sentiment, we have only to consider how slight are the modifications of outline which will alter the whole expression of one's face, and the changes of tone which will represent joy or sorrow, cheerfulness or solemnity, hope or despondency. It is the same countenance that we see, and the same voice that we hear—the countenance and the voice of our familiar friend—not a feature or tone is unrecognized; but complicated changes of form have taken place, which the reason instantaneously apprehends, and to which the susceptibility instantaneously responds. The changes in point of quantity have been very small, but they have been sufficient to tell the story of one mind to another; and to tell it with a rapidity and concentration to which the power of ordinary language is but feebleness. Now, from this one example we may learn the general expressiveness of shape and sound; and understand how the Divine Artist, in creation, or the human artist, in his chosen walk of painting, sculpture, music, or poetry, may convey to all rational beings, by outline and measure, the ideal that exists in his own soul. In the course of our Æsthetical Education, the language of beauty becomes continually more pregnant to our intellect and more striking to our sensibility, till, at last, in the galleries of art, in the cathedral and the concert-room, or amid the scenery and harmonies of nature, the sentient spirit drinks in meaning and delight from all that surrounds it. The insight of reason reads the sentiment of every form. The statue, the picture, the tune, the landscape, are all inspired—and the mind catches the import of each "peculiarity of modulated tone and delineated figure. The utterance of human sentiment in sensible forms gives Beauty; and when the disclosed sentiment is that of a superhuman spirit, and we stand awe-struck in the presence of an angel or a divinity, the Beauty rises proportionally, and elevates itself into the Sublime."*

Or yet again, were I attracted from all the rest of my themes by the charms of Literature, it would be my duty to characterize, in the first

^{*} Hickok's Pyschology.

place, the collective literature of nations, as embodying and exhibiting the peculiarities of national mind:the primitive simplicity of the Hebrew chroniclers, and the unapproachable majesty of the Hebrew poets-the splendor, variety, and all but perfect beauty of Grecian genius, and the borrowed lustre of its Roman imitators—the half-christian, halfpagan imaginations of mediæval Italy and Spainthe grandeur of English letters in the early vigor of their youth, when Shakespeare created, and Bacon philosophized, and Raleigh began the history of the world—the more artificially polished productions of the Gallic muse, which, crossing the channel as the missionaries of a less sturdy civilization, converted the English Miltons and Jeremy Taylors into Popes and Addisons, and the Scottish Knoxes and Buchanans into Robertsons and Blairs—the Teutonic revulsion, which brought back the reign of originality and of power in Germany, and spread from thence to Britain and even into France herself—and last of all, that hybrid style of thought and writing, which the mixed population and rapid growth of our own country have necessitated, and the elements of which have not yet become so blended and assimilated into a unity as to constitute a peculiar national literature. And then, passing from the broader distinctions of national genius to the more marked peculiarities of 166

individual authors, it would be my happiness to expatiate in retrospect among the "departed spirits of the mighty dead"—of all whose names live in the page of history, and without whom History herself had never been—seeing that if the exploits of kings and heroes had remained unchronicled by annalist and bard, they would all have been forgotton utterly, or only recalled, in dimness and in terror, by the ruins of ancient cities,

" And mighty relics of gigantic bones,"

turned up by the peasant's plough from the battlefields and burial-grounds of unrecorded generations.

> "Vixere fortes ante Agamemnona Multi: sed omnes illacrimabiles Urguentur ignotique longa Nocte, carent quia vate sacro."

Having thus dismissed, by little more than a mere mention of them, all the other topics belonging to my department, I come now to the noblest and most arduous of the whole—the philosophy of the True and the Good. Were I to attempt presenting you with an outline of intellectual and ethical science, and a skeleton history of philosophy, extending from the remote era of Pythagoras, who first employed the term, through the various schools of Greece and Italy, down to the present time, the sketch would be

so meagre, imperfect and uninteresting, that it would give little satisfaction either to listeners or to speaker. Neither can I allow myself to enlarge, in general terms, on the importance of moral and metaphysical study, as dealing with the most momentous questions that can engage the mind of man, and investigating the foundations of all knowledge whatsoever. is on the high places of philosophy that the skeptic, the atheist, the pantheist, the materialist, and the spiritualist must be met and overthrown. Hence the value and the difficulty of the inquiries which philosophy embraces. But, instead of touching, except incidentally, on any of these inquiries, I deem it of far greater consequence at present to aver, with as much publicity and emphasis as possible, that of all the professors in your College, it is most indispensable that he who occupies the chair of philosophy should be thoroughly sound in the faith of the Gospel; for, in the name of science and under covert of her robe, he may teach, if so minded, the wildest and most pernicious doctrines. I desire, then, first of all to declare that, both from the constitution of my intellect and the impulses of my heart, I am compelled to believe that there is a God-a self-conscious, personal, infinitely gracious Maker and Father of all. The infinite is not opposed to the finite as light is to darkness, truth to falsehood, right to wrong, virtue to

The infinite embraces the finite, and the idea of the latter necessarily calls forth, as its correlative and complement, the idea of the former. My mind cannot survey the boundaries of the finite and conditioned without gazing awfully into the infinite that contains it, and reverentially toward the Absolute, of whom I myself am a feeble image. My soul is not satisfied—its natural craving is not filled—until it has passed the confines which mark off that which is limited within that which is limitless. Here am I placed "upon this bank and shoal of time" between two eternities—the denizen of a little isle amid an immeasurable ocean! My vision can reach but a brief space into the vast profound that environs me above and below, on the right hand and on the left; and although my spirit, as it makes excursions into creation, can discern much that is good and great, fair and admirable, it is still perplexed and baffled in its contemplations—"shadows, clouds and darkness rest" upon its views, till, from its own depths, like the sun from the nether hemisphere, springs the sublime discovery that there is a God!

In the stillness of a star-lit night, you may have cast your eyes over some fine landscape, and as you traced the glimmering circuit of the woods, and recognized the dark masses of the mountain-range, and saw the stars reflected in the river's bosom, and

descried the mansions, turreted and gray, or less picturesque and less hallowed by time, rising through the shade, and humanizing the whole scene with the interests and occupations of man-as you stood. gazing and musing, you have said within yourselves-"How fair would this prospect be were the round moon now pouring her lustre on river, and wood, and dwelling, and hill; and how passing fair, when it lies glowing in the full sunshine that at once discloses and exalts its loveliness!" Nay, the very pleasure with which, even in the night, you behold it, is mainly owing to your recollection of its daylight glories, or of something similar; and you can scarcely fancy the dim and dull impression it would make upon a being who could not fill up its proportions from such recollection, and body forth its hidden features, in the exercise of an imagination which had been informed by the actual survey of the unveiled beauties of nature. It is even so with Creation when contemplated apart from a Creator! It is even so with the present condition of things when regarded apart from a God of justice and goodness, holiness and truth—the very God whom the Bible describes. Without a God, there lowers a most perplexing obscurity over the whole. I can discern beauties, but they are clouded; harmonies, but, when I attempt to track them, they fade in the infinity of the

surrounding darkness; design, but it is only fragmentary, and not seldom apparently frustrated; operations, benevolent, and, to some extent, effectual, but often cruelly interfered with, and rendered distractingly abortive; something grand and graceful, it is true, but shadowy and evanescent, dreamy and dubious, without beginning and without end; and I am puzzled to account for interruptions, and vacuities, and discrepancies, and disturbances, and feel intensely the need of some superior illumination to irradiate the entire field of view, and dispel the mystery-a mystery as much of confusion as of vastness—that broods over everything before me. Chains of causation I can partially trace, but I discern no Omnipotent Hand from which they are suspended; goodly fabrics of antecedent and consequent I can see, but no Rock of ages on which their foundations are laid; motion I perceive, but no Prime Mover; regularity, but no Regulator; law, but no Law-giver; life, but no Fountain of life; scattered portions of truth, but no great Being who is the substance of truth—in whom all truth centres, and of whose nature all truth is only the disclosure and the outward expression! Now, the master-key to the whole of this mystery is the existence of a Supreme Creator and Ruler. The forthflashing of this grand fact is the dayspring from on high, which, illuminating the Kosmos, brings to our

view its order and dependence—its origin and its end; enables us to walk surely, like those who walk at noon, instead of groping and peering like those who walk in darkness; and gives rest to the soul's weary wings, by presenting an ultimate object whereon, in common with the entire universe, the exploring spirit reposes from its travel, and is satisfied.

When I first look up to the heavens, I behold nothing save an expanse of splendid confusion—a high o'erarching canopy glittering with lights of spiritual brightness. Their distances are all the same to my vision, and they appear scattered over the mighty concave at random. No sound issues from the aerial dome—no living thing can be discerned walking amidst these lamps; and when they themselves are, at length, discovered to move, their march is tardy and without array; for they fall not into ranks, and some of them seem to wander even from their own circles. Amid the multiplicity of luminaries, there is still obscurity. The stars are still the stars of night. Whence are they, I ask, and what are they? What is their nature and what their use? Is the frame-work, in which they are inlaid, really a firmament—a substantial, resisting roof—and do they stud its surface merely to regale my eyes, and exercise my curious fancy? I cannot tell!

As yet I cannot tell: but let me grasp the torch of

The astronomer demonstrates that those lamps are orbs—probably worlds like our own; that they revolve in paths of geometric symmetry, although so vast that the whole vault overhead is too limited a scroll to exhibit such a portion of those paths as would determine their figures to our sight; and that, throughout all space, there prevails a law which governs the huge globes wherewith its amplitudes are filled, and, under this law, that which originally appears disorder is regularity, far more accurate and exquisite than that of the most ingenious and delicate of human Now I begin to approach towards contrivances. The firmament, I find, is not a solid satisfaction. crystalline canopy; neither is there any longer disorder among the starry train. My mind now cleaves the depths of space, and, to the glance of science, mechanism, stupendous both in magnitude and harmony, is disclosed in its mighty and mysterious But after all I am not yet content. My spirit pants with the majesty of its own discoveries. I am confounded by the very grandeur which has been evoked. Amidst an illimitable universe I stand awe-struck and baffled, as if, too daring in my curiosity, I had intruded, under guidance of a potent genius, into a region of sublimity where even he might fear to tread. Here it is, however, that the still small voice of my inmost reason is answered by the celestial

oracle of Revelation; and the two, blending into harmony, proclaim—"God is, and God reigneth!"— Within the infinite domain where I had penetrated, they point me to a throne, and to a Sovereign seated thereon. The Almighty Maker and Mover is seen! My wonder now becomes adoration; my astonishment is exalted into reverence. The insecurity, the uncertainty, and the absence of cause, which oppressed my soul, are now gone. It no more falters amid unexplained marvels. It has risen to the summit of truth, and from that empyreal height it sees, like a seraph on the battlements of Heaven, the whole creation roll beneath it, without shock and without confusion! The light which the astronomer kindled was sufficient only to show the vastness of the prospect. Dimness and doubt still lay upon its illimitably receding depths. It was still the landscape without the sun. The God who said

"Let Newton be,"

was still Himself to be revealed; and then, but not till then, all became really light; and the orbs of the sky were perceived to obey His voice, and their splendor seen to be an irradiation from the "co-eternal beam of the Eternal"—the "light which no man can approach"—

[&]quot;Bright effluence of bright essence uncreate!"

It is thus that the existence of a God forms the Key-stone of the entire structure of knowledge. His being is the grand truth, that, like the central sphere of our solar system, gathers all others around it, and harmonizes them all, and sheds light upon them all, and infuses life into them all; and he, that would shut out this truth from his investigations, seems to me scarcely so wise as the man who should make his own chamber his universe, and content himself with examining its paltry appointments by the glimmer of his own taper, while he jealously excluded every ray coming from the fair and illuminated world beyond its walls.

The Bible tells us that, before man was made, the earth was replenished with every green and every breathing thing. The garden was planted and watered, and it teemed with life and beauty. Streams sparkled in the sun, breezes whispered in the shade, fruits glowed upon the boughs, flowers enameled the sward and opened their fragrant bosoms to the day, birds warbled among the bowers of Eden, beasts sported on its glades, and all creation awaited the advent of creation's lord, whose immortal mind was capable of ruling it, and appreciating the proofs of wisdom, power, and goodness which, though existing in their own frames and functions, the creatures themselves were unable to comprehend. And surely

it is no vain or improbable imagination to fancy the first man picturing to himself, how unfinished and unsatisfactory would have been the curious work before him, had he who was its crown and glory not been produced, and invested with dominion over it. We can still further fancy his procedure, as, in the exercise of his newly-awakened consciousness, he must have inquired into the secret of his own beinggazing for a while on external things, and then turning to his own body, perusing his own limbs, trying his own powers, and, when he found all so fitly and surprisingly made, questioning the creatures already formed, as if they, with thought and speech like his own, could tell him whence and what he was, and conjecturing, in the fullness of his doubt and wonder, what all the enchantment about him could mean, till, amid his delight and perplexity, he at length hears and knows the voice of God, and, bending with instinctive reverence before His presence, learns from the Divine utterance the mystery of his own existence and destiny, and the explanation of the manifold other existences that encompassed him on every side. Such an incident as this would come upon him with all the cheerfulness and certainty of light. His undefined desires it would both bring to shape and satisfy, and, like the discovery of any other great principle, it would reduce to order, and clearness, and unity, that

which, without it, or something equivalent to it, would have forever remained to him a problem incapable of solution.

Now, this stroke of Milton's imagination, which I have adapted to my present purpose, is not produced as a fact, but as an illustration. It is most eminently natural. To be sure, there is none of us in circumstances similar to those of Adam with reference to the knowledge and theory of creation. The existence of a Creator and Supreme Ruler is part of our earliest and most familiar belief; and thus it is that we are under the necessity of making a strong effort to appreciate the sudden and self-evidencing power of a discovery like that which we suppose to have been made to him. Nevertheless, on making such an effort, the result will be powerfully felt, and we shall perceive that, in order to give unity, consistency, and intelligibility to the universe, both in its physical relations and in its moral aspects, we are compelled to admit the being of a God. It is the principle of affinity which gives unity to Chemistry-of gravitation which gives unity to Astronomy—of conscience which gives unity to Ethics—of propitiation which gives unity to Christianity—of life which gives unity to animals—of personality which gives unity to the human being;—and, in like manner, the universe is not felt to be One—seems not a Kosmos, but a

stupendous puzzle, until reason starts, and Revelation confirms, that greatest of all truths, that God is, and that God reigneth—the Maker, Mover, and Father of all.

In the second place, I seize this public and appropriate opportunity of declaring that, from no superficial study of its evidences both historical and internal, I am steadfast in the belief that the Bible is the word of God—that the inspiration of the sacred writers is no mere theological name for the intuitions of human genius—that "thus saith the Lord" means literally and simply "thus saith the Lord"—and that, with the trifling exception of accidental mistakes common to all books that have been multiplied by transcription, the Holy Scriptures contain truth without mixture of error. I am fully aware that the Bible was not given to instruct men in science and philosophy, and that its language is the language of the people, not of sages and savans. I am further most fully aware that we are now in possession of a critical apparatus—a method of interpreting ancient writings—which implies not only a grammatical familiarity with their dialect, but likewise a historical familiarity with the speculative opinions and modes of thinking, common to the age and country in which the writers of them lived. And I am still further aware

that the researches of travelers and antiquaries, and the labors of scientific men-astronomers, geographers, geologists, naturalists, metaphysicians, ethnologists, and even chemists—have cast light on many portions of Scripture, and enabled critics to improve the interpretation of them, so that apparent discrepancies between science and revelation have been reconciled, and those things which, at first, were difficulties, have actually become demonstrations. Of all these facts I am most fully aware; and, in view of them all, I affirm that were my investigations in philosophy to land me in a result that is clearly at variance with the wellascertained import of the Divine Word, I would stop short instantly, assured that I was either wrong in my philosophical principles, or faulty in my logical deductions; and I would earnestly retrace my steps, and search diligently till I had found where my error. lay. Others may call this timidity—or even bigotry —if they choose. I call it reverential caution; and I freely confess that I should neither have the foolhardiness to intrude anti-christian theories upon the undergraduates of a College, nor the dishonesty to retain a position, where I should be compelled to inculcate doctrines which I did not most firmly believe.

According to my view—which is also that of St. Paul—and, therefore, the correct one—the grand central idea of the Gospel is atonement by sacri-

fice. Now, it is certain that the great "mystery of godliness-God manifest in the flesh," is altogether beyond the ken of human philosophy. German rationalists and their disciples may tell me that every man is an incarnation of Divinity, and their words, when they so speak, may not be destitute of meaning; but of this I am very sure, that they do not mean what St. John says, when he announces that the "Word was made flesh and dwelt among us." This truth is a matter of pure revelation. Nevertheless, although our philosophy could never have solved the divine problem for which the Word became incarnate—how shall God be just, and yet the justifier of sinners?—philosophy assuredly does point us, with no uncertain indication, to the necessity of a Redeemer, and hints not obscurely that our Redeemer must be Almighty. A short demonstration of these facts will terminate the present address, and show, in a sufficiently intelligible way, how philosophical investigation may be applied to questions of the highest practical moment.

The knowledge and the power of man being both limited, he may not be able, in the first place, to form a perfect conception of an end which he desires to accomplish; and, in the second place, he may not have sufficient skill to devise and adapt the means whereby it may be accomplished perfectly. His con-

trivances may be faulty, either by excess or by defect. The material chosen may not be the most suitable, and it may be improperly distributed. There may be a superfluity of strength in one part, and a deficiency in another, and the application of his machinery may, and in fact generally does, admit of improvement. In short, his advances towards perfection are necessarily tentative and experimental. He does not produce it at once by intuition or instinct, as the bee constructs its cells and the bird its nest. And as it is with man's material contrivances, so also it is with his schemes of moral and intellectual mechanism. In government, in education, and in philanthropic enterprise, he proceeds by trial and error, and does not arrive at the best plan till after many a failure and many an alteration.

But God, on the contrary, being infinite in wisdom and infinite in power, knows at once the very end He would gain, and the very means that are requisite to gain it. This is an obvious deduction from the very notion of Godhead. And the truth, thus emanating from a source a priori, is exemplified in all the contrivances and arrangements of the universe. In God's works there is neither defect nor superfluity. The power employed is most precisely proportioned and adapted to the work that is to be done. If the whale, for instance, requires to dive to depths in the

ocean where the pressure would be destructive to other creatures, it is made strong in proportion to that pressure. If the eagle must soar heavenward, its bones and quills are made light, and if it must battle with the storm, they are likewise made strong. If the habitat of a fish is the dark waters of the Mammoth Cave, the creature is unprovided with eyes, but in the feline family, which seek their prey in the night-time, the organ of vision is capable of extraordinary enlargement. The tribes of the sea have no fountain of tears wherewith to lubricate the eye-ball, because they need none; but the dwellers on the land are furnished with the necessary secretion. And so on, throughout all nature, there is nothing superfluous and nothing defective. In cases of human mechanism, where calculations, involving the profoundest mathematical principles, have been made to determine the exact medium between excess and defect, it has been found that the Creator had anticipated the solution of the difficulty. "During the latter part of the last century,"—says Edgar Allan Poe—"the question arose among mathematicians,—'to determine the best form that can be given to the sails of a wind-mill, according to their various distances from the revolving vanes, and likewise from the centres of the revolution.' This is an excessively complex problem; for it is, in other words, to find the best possible position

at an infinity of varied distances, and at an infinity of points on the arm. There were a thousand futile attempts to answer the query, on the part of the most illustrious mathematicians; and when, at length, an undeniable solution was discovered, men found that the wings of a bird had given it with absolute precision ever since the first bird had traversed the air." The cells of the honey-comb afford another and more familiar example of the same law. They are so constructed as to give the utmost room that is compatible with the utmost stability and compactness. There is no loss of space and yet no diminution of strength.*

* As if to demonstrate the existence and rigid authority of this law in the most emphatic manner possible, we find it extended even to the region of the supernatural. The miracles of Scripture, although exceptional, as unusual exhibitions of Divine power, are not exceptional in respect of the law which we are now considering. First of all, no miracle is performed unless the occasion plainly justifies and demands it. The rule that Nature dictated to a heathen poet, and by which she guided his predecessors, is the actual rule of God in the testimony borne by Omnipotence to Truth—

" Nec deus intersit nisi dignus vindice nodus."

A needless miracle would be unworthy of Heaven, and incredible to enlightened men. But further, in the working of the miracle itself, all that can be done, by human power and ordinary means, is commanded to be done. If water is to be made wine, the water-pots are filled by the hands of men. It would have been as easy to create the wine at once, but, in that case, the law of nothing superfluous and nothing defective would have been violated. If the leper is to be cured, he must wash seven times in the waters of Jordan and be clean. If the withered hand is to be restored, the patient must himself make an effort to stretch it forth. If dead Lazarus is to be raised, men must roll the stone from the mouth of the sepulchre, and when he comes forth bound hand and foot, they must unloose the grave clothes and let him go. Even in the two miracles of feeding the multitudes, the baskets of fragments

I am aware that there are some seeming exceptions to the rule which I wish to demonstrate. For instance, the rain that would cheer the thirsty ground in a season of drought, and save the fruits of the earth for the use of man, may return from the clouds to the ocean, or fall upon the sterile sand; while at other times the labors of the husbandman may be deluged from on high, and his wealth swept away by the torrent that gathers among the hills. But that the rain is wasted even on the sea or the sand, would be far too much for us to affirm; and no believer in Providence will find difficulty in rightly interpreting the variations and hazards that attend the cultivation of the soil. In fact, we know too little of meteorology to decide what advantage may arise to the whole globe from the phenomena of the sky; but we know enough of nature's works to be assured that every phenomenon must accord with the law for which I am now contending.

Up to this point, however, I have said nothing of

were not superfluous but intentional; because, besides being gathered up for future use, they afforded the Saviour the very opportunity he sought and planned, of inculcating care and frugality that nothing might be lost. This lesson was, in fact, a Divine proclamation of the law in question—that in God's doings there is no deficiency and no redundancy. The same Being, who created food in the lonely place for his hearers, could have done so for himself when he hungered in the wilderness; but the miracle was not needed, and, therefore, it was not performed. Thus the multiplying of the loaves and fishes, which, at first glance, appears to contradict our principle, really goesto confirm it in every particular.

the proportion between the powers and the work of intellectual and moral beings. This, indeed, is the very question which we are required to determine. But the condition of man is obviously excluded from our argument: for it is upon man's condition as a conclusion that the entire argument is intended to bear; and except in so far as we can perceive, in the present state of humanity, indications of primeval perfection, the whole of our inductive evidence must necessarily be analogical.

Excluding man, then, the nearest approach to intelligence in terrestrial nature is the instinct of animals; and it was once my purpose to relieve the tedium of our present investigation by adducing illustrations of the law now under discussion, from that interesting field of Natural History. Such a course, however, would prolong this address beyond all due bounds; and I, therefore, content myself with a general statement of fact—that, while every instinct that is necessary for the comfort and preservation of brutes is bestowed upon them, they possess, in their natural condition, none that are superfluous. When any of them are domesticated by man, they are rendered so far artificial, and some of their original instincts may thus become useless. But in their wild state these instincts are indispensable. The dog, which now turns round several times before lying down to

sleep, is only practicing in domesticity the gyration by which his ancestors hollowed out their lairs in the wilderness. Hence we have the strong analogy of instinct to add to the evidence already adduced, that the powers of every creature are exactly proportioned to the work which that creature has to perform.

Whether or not there are any spiritual beings between man and God is a question which mere philosophy does not enable us to decide. It is the general belief of the human race that there are such beings; and the testimony of Scripture, which reveals the existence of Angels as a matter of fact, coincides with this general belief. A dogma of revelation, however, cannot be used as a link in any chain of purely philosophical argument. All the aid that we are entitled to claim from the Bible is the fact, that everything therein declared concerning the nature of Angels is in perfect accordance with the conclusions which I have already drawn from the attributes of God. These pure spirits are always represented as busy in the service of their Lord. They rest not day. and night. Their devotion to God is entire; and not a single hint is dropped to the effect that any of their power is ever kept back, or diverted, from the work that their Creator has assigned them. Their duty and their delight is to employ all their faculties, at all times, and in all their available strength, in the service of

Him from whom these faculties were derived. There is not one circumstance in this representation which conflicts with our notions of justice and propriety. Everything is exactly as we should judge it to be from the relation of spirits to the Father of Spirits. We feel assured that, if there really are spiritual creatures superior to ourselves, the law of their duty to God is precisely that which the Bible describes.

But though it would be illogical to pass, in an argument of this kind, from reason to revelation when reason fails us, it is manifestly lawful to rest upon well-attested historical facts, whether these are facts of Jewish or of Gentile history. Now, the appearance and ministry of angels I hold to be historical facts. No candid critic can confound them with the fables of Greek and Roman mythology. I am, therefore, justified in assuming that the general belief of mankind on the question of superhuman spirits is correct; and this being the case, my rational apprehension of Ethical relations assures me that their power and their duty are most scrupulously proportioned to each other, and that such of them as have not abused their spiritual liberty do fulfill their duty to the very letter.

If, then, the law of exact correspondence and proportion between power and work extends over both

the highest and the lowest of God's creatures, it were most unreasonable to imagine that man, who stands between the brute and the angel-a compound of the animal and the spiritual—can be exempted from the rule that applies to the animal and the spiritual alike. When we find man doing other work than his God's, the rational inference is—not that his capacities of intelligence, feeling and will are insufficient for the attainment of the end of his beingbut that his original condition has undergone a change—that he has abused his moral freedom, and is a rebel against the law. Most unwarrantable it were to suppose that the law has been abrogated in his favor, or even in the smallest degree relaxed. The existence of the law is manifest; its foundation lies in the relation of creature to Creator, from which relation the creature, man, can claim no exemption; and what can be more reasonable than the employment of God's own gifts in God's own service, and in nothing else? The law, indeed, is not only reasonable but supremely benevolent; for the only solid happiness lies in strict obedience to its commands. Bird, beast, reptile, fish and insect are all happy in the exercise of their instincts, and the use of their powers. To do the bidding of the Most High constitutes the blessedness of angels. And every human being, who has abandoned his rebellion and returned

to his allegiance, is forward to proclaim that he never knew substantial enjoyment till now.*

We thus find that the conclusion for which I have been contending is supported both by considerations a priori, and by examples drawn from every region of nature; and we are abundantly warranted in affirming that every creature has a work to do for his Creator, and that his Creator has furnished him with powers precisely proportioned and adapted to that work. The work does not exceed the powers, and the power is not greater than the work. It is thus manifestly impossible that a creature can ever do more than his duty to God; and consequently, in

^{*} The aphorism of the Great Teacher is at once natural and true: "Unto whomsoever much is given, of him shall much be required." The whole law of the creature lies in this Divine announcement; and it is fully illustrated in the parables of the talents and pounds, and of the wise and foolish virgins. I cite another passage of Scripture to the same effect. It is this: "Whether ye eat or drink, or whatsoever ye do, do all to the glory of God." The precept is quite general. All that we do, even to the most common and necessary actions, is to be done-not unto ourselves, nor to any other creature-but to the glory of Him who made us. I need not, therefore, dwell on that aspect of the command. I prefer to inquire what is meant by eating and drinking to God's glory. Manifestly, not that which some suppose-namely, eating and drinking with thankful hearts. Doubtless, gratitude to Providence for our daily bread is a good thing, and a duty; but I cannot believe that that idea exhausts the significance of an expression so remarkable as the one in question. The real and full meaning of the passage is clearly this: that, in the matter of eating and drinking, we are bound to eat and drink of such things, and in such quantities, and at such times, as will maintain our powers, both mental and bodily, in the highest possible state of efficiency and endurance, for the service of our Lord and Master. Excess, on the one hand, and abstinence, on the other, are equally derelictions of duty, unless some absolute necessity, or some higher duty, intervenes to modify our practice.

case of failure, he can make absolutely no compensation—in case of arrearage, future payment is utterly beyond his own ability. Any accumulation of creature merit is an obvious absurdity; and so there never can be a surplus to atone for a single moment's idleness, or a single moment's relaxation beyond that rest which may be really required by the creature's constitution. If the faculties of an angel are nobler than those of a man, the angel has a more arduous task to perform; and both man and angel are bound, by the relation of creature to Creator, to employ continually their whole available power in their Creator's service. And more than this, they are also bound to take good care that no abuse of any sortneither of improper exertion, nor of sensual indulgence—shall diminish their power, on the one hand, and that no exercise shall be neglected, on the other, which may increase its efficiency, according to the appointed law of such increase. There is no allowance for indolence, or carelessness, or irregular activity; far less for positive perversion. Should the duty of any man ever call for over-exertion, and consequent destruction of power, the sacrifice is required by his present abnormal condition. In a perfect state no such demand can be made; for no such sacrifice can be necessary.

Now, keeping fully in mind what I have thus

demonstrated respecting the duty of man, and the relation of his original power to that duty, let me attempt the proof of a second proposition, which, after its establishment, I shall ask you to connect with the first, so as to draw a conclusion from a comparison of the two.

My second proposition is the following: The scheme of God in creation and providence is progressive: not in the sense of proceeding by trial and error, as the schemes of men do; but in the sense of proceeding from perfection to further perfection.

If you reflect on the connection of cause and effect, as exhibited in the universe, you will find that no cause is followed by one effect only. There may, indeed, be, and there usually is, one effect of which the given cause is more particularly the antecedent; but, in addition to this prominent effect, there are also minor and collateral effects which must be ascribed to the same cause; and each of these effects becomes, in its turn, a cause destined to produce so many separate series of new effects, and so on ad infinitum. The propagation of effects is thus like the propagation of a race of animals or vegetables from a parent stock. In fact, the indefinite propagation of organized creatures is just an instance of that causal progression whereof I am now speaking. Perpetual progress is, therefore, a necessary result of the great law

of cause and effect. From the Almighty First Cause, as from the centre of power, streams of causation are forever radiating, and forever widening, in a multiplied efficiency, towards the outer regions of unlimited space, and through the endless ages of infinite time.

But I will not rest the demonstration of our second proposition, any more than I did that of our first, upon mere a priori considerations. It will be more interesting to you, and quite as much to our present purpose, if I can lead you, by a brief induction of particular cases, to a satisfactory establishment of the general law.

From an examination of the rocks which compose the crust of our earth, and the organic remains that are therein imbedded, we find that this world has undergone a succession of wonderful changes, in which creation after creation, each perfect in its kind, has been destroyed, and by which the globe has been gradually prepared for the comfortable habitation of the human race. The geological history of the earth is one of the sublimest retrospects that scientific research affords. Through the mighty and mysterious ages of the past, mortal and irrational creatures have been employed as the precursors and pioneers of the rational and immortal, and we believe that, after one change more, all of the latter that has become liable

to death shall be re-endowed with immortality, and not a bone of man shall continue in the dust. The ground shall give up its human dead—not in fragments and fossils for the instruction of superior beings—but living, and to live forever, in their renovated abode.

Again—rising from the earth to the heavens, we discover there appearances which go to prove that there is a similar creative progression in other worlds besides our own. There seems sufficient truth in the nebular hypothesis, to warrant the conclusion that the realms of space contain systems in all stages of formation, from the most chaotic and rudimentary, up to those which we are wont to call perfect. Creation nowhere springs at once to the highest beauty, but unfolds its glories by degrees. The eternal Maker lays his commands on matter, and He, to whom a thousand years are as one day, guides it obediently, through countless ages, to its destined end.

Returning to our own earth, we there perceive the same law of progress in detail, which we have already observed in the general. The life force in animals and vegetables builds up bodies for them by a gradual process of assimilation and growth, and matures in them the germs of future generations; so that from one tree may spring a forest, and from one pair the population of a planet; and in the higher region of

human personality, the intellectual, æsthetical, and moral powers work out, by continued effort, the advancement of science, and art, and liberty. In spite of reverses and vicissitudes, and transmigrations from one country to another, civilization, and knowledge, and government are perpetually moving forward, on the whole. "Antiquitas seculi, juventas mundi." The human family—as a family—are not only older, but wiser, and better, and happier now than ever they were since first they peopled the earth. The comparative barbarism, that has overrun some ancient fields of refinement, is more than compensated by the higher culture of others, and by the gladness of many a primeval wilderness that has been made to rejoice and blossom as the rose.

On the whole, then, and not to weary you by further induction, I venture to affirm that progress from one degree of perfection to another is a law which the Almighty has been pleased to enact for His own operations, and for the continued felicity of His rational and responsible creatures. Of the progression that is visible in material things, I need say nothing more. The notice of it was necessary only to fortify our second proposition, as I did the first, by analogy. I crave your particular attention to the progress of the intellectual and moral universe, and to the fact, that the very nature and necessities of

spiritual creatures compel us to believe, that the same increase of power and enjoyment which we discern in the human race is also a law to every rational and accountable subject of the King of kings. We know enough of our own souls to feel assured that, were it not for the perishable bodies wherein they dwell, their capacity of improvement is indefinite; and consequently, in the case of pure spirits, there can be no limit to the accumulating strength acquired by perpetual exercise.

Let us now connect our two propositions, and see what conclusion will result from them.

Every creature has a work to perform, and power enough, but not more than enough, to perform it. As the power increases by continued exercise, the work increases in exact proportion. The ratio of the two is always a ratio of equality. We have thus, in the universe of God, a perpetually augmenting power and a perpetually augmenting work—a continued progress which will never have an end—a vast procession of intelligence and virtue, ever mounting and ever hastening towards loftier heights of knowledge, righteousness, and holiness. Should any creature, or any company, in that universal march, stop short in the exercise of their faculties—sit down indolently by the way, or absolutely commence to struggle backward against the advancing host—thus wasting their

strength in vain perversity, tell me, I pray you, what consequences would follow? The grand procession hurries on with ever-growing power and speed. The loiterers and mutineers are left behind, losing vigor, both of intellect and will, every moment of their stay. The distance between them and their former fellows is ever, ever widening, while their own capacities for good are ever, ever diminishing. Their perdition is deepening by a double acceleration. The case is clearly a hopeless one—hopeless, most hopeless—unless God himself can open up an avenue of hope!

Turn aside with me, therefore, and gaze on this great sight—this wondrous procession of angel and archangel, cherubim and seraphim! Onward and upward tread incessantly these unfallen sons of God! Failing in no duty since they first were made, they have ever been mounting from glory to glory, and from strength to strength. Their intelligence has been perpetually expanding, and their knowledge has been perpetually augmenting. Their affections have been continually deepening, and fresh objects of affection have been continually supplied as their capacities enlarged. Their moral sense has been always acquiring new vigor, their will has been always growing more resolute, and their lapse into disobedience has been evermore becoming less and less possible.

It is a marvelous panorama that we have now before Not the sons of Genius, struggling upwards, with panting breath and many a slip, to some mythic immortality on the heights of Olympus or of Helicon—not these, but the sons of Almighty God, bright with eternal youth, and strong with ever-growing strength—tasked to the full, but never overstrained—, exultant in their ascent as the eagle in its flightmarching up the highway to the heaven of heavens, while the splendors of the holy place cast on their path a brighter glory than the sunshine, and the chorus of triumph swells from rear to van of the magnificent procession! Not the stars of heavennot suns, with their planetary trains, sweeping onward through space—not galaxies rushing in cycles that baffle computation, yet still returning whence they came as the appointed ages roll away-not these grand orbs, but spirits immortal, each more precious than a thousand stars, advancing forever and forever towards that Sanctuary where sitteth the Father of Spirits-"high-throned above all height"—unapproachable, yet "altogether lovely," and still disclosing new beauties to His children as they rise!

But where is man in this majestic progress—what place holds he in the universal host? He, too, was destined to a post in the procession, and, though the

last of God's children, was not the least in His regard. Angels would not have disdained his company, nor would his voice of joy have been discordant with their song. He, no less than they, would have proceeded from perfection to perfection—his capacity, like theirs, forever growing and forever full! But man is confessedly a deserter from the army of the Lord of Hosts. The most orthodox believer bears no stronger testimony to this fact, than does the zealous reformer, who frequently would compensate for the scantiness of his creed by the extent of his philanthropy. Forsaking the ranks of Heaven, and in league with the rebellious, man has met the fate of the dupe in his apostacy. He now strays and struggles in the wilderness-struggles with its entanglements, seeks a home in its spots of transient verdure, and strays further and further from the way of life. His faculties have been perverted, his affections have been misplaced, and his will has been depraved. Sloth has enervated him, passion has wasted his vigor, and he either sits down or retrogrades, while the universe hastens on! The interval between where he is and where he ought to be is perpetually lengthening, and the cumulative power, that was due to his continued exercise in holiness, is irrevocably gone. Never, even though he desired it, can he overtake his former companions; neither, though he could over-

take them, has he now the strength to keep pace with them in their accelerating march. They are now stronger than they were, and he, to all true good, is weaker. Desolate and helpless as Israel in the House of Bondage—desolate and helpless as the captives who hung their harps upon the willows, and wept by the rivers of Babylon—desolate and helpless as the daughter of Zion bowing in sorrow beneath the palmtree—desolate and helpless as the prodigal who, far from love and home, would fain have fed on unclean husks—desolate and helpless as these, he sits him down-and who shall bear him across the space that intervenes between him and the post he should have held—who shall replace the strength that he has squandered in iniquity, and supply the power that he ought to have gained in the practice of righteousness? Manifestly, not himself; for at no period had he more power than he needed, and now he has far less. Manifestly, not an angel, nor an army of angels, for, though they may pity the apostate, they have no power to spare. Manifestly, no created thing-manifestly, none but the Omnipotent—none but One who is absolute and independent—One who can interpose, with the fullness of underived and unclaimed might, to seek and to save the ruined.

[&]quot;How charming is divine Philosophy!" How

charming at all times, but especially how charming when she thus leads us to the portals of Divine Revelation, and the response of the Holy Oracle harmonizes with the voice of Reason! There really is an Almighty Redeemer—an Omnipotent One that lays hold on wretched man, and bears him to where he should have been in the universal march; and who, from the riches of His grace, can furnish more than all the energy that man has lost! "Who is this that cometh from Edom; with dyed garments from Bozrah? this that is glorious in his apparel, travelling in the greatness of his strength?" It is I—"I that speak in righteousness, mighty to save."

From the hour that this Deliverer espoused our cause, the door of hope was opened, and the free favor of Heaven, descending to bless this blighted earth, prevented its degenerating into a pandemonium. Divine mercy, that heretofore might have been heard of by the hearing of the ear, but which no eye had yet seen in actual operation—this new attribute of Godhead, like a new system in immensity, was disclosed to the admiration of angels and men. From that blessed hour, captive after captive began to be released. Death, the avenger, was made the herald of eternal life, and the grave of the now mortal body become the gate of glory to the still immortal soul. From that hour, the noble work of

emancipation—emancipation to light and power as well as freedom—has been going on; multitudes of the rescued have been welcomed to the celestial throng; and we believe—for our natural expectation is unquenchable, and the oracles of prophecy assure usthat a day of triumphant restoration is drawing nigh. It is written! it is sealed in heaven! and the fullness of time shall reveal it all! And when the great day shall come at last, there shall be such a merry-making in the universe as has not been since of old the morning stars sang together; for the crowning act of a new and nobler creation shall have been brought to a close. The Celestial Host, whose glory lighted the plains of Bethlehem, and whose anthem echoed along its hills, shall again unfold their splendors and take up their song; and Earth below, no longer mute as in the beginning, but vocal throughout all her realms, shall send back her joyous response to the gates of Paradise. The mountains shall break forth into singing; the fields shall clap hands on every side; the glorious strain shall ring in the harping of the woods; streams shall murmur praise as they flow; and ocean shall uplift his music of many waters in concert with the quiring winds; the stars shall peal notes of gratulation from their spheres; the great sun shall roll through all his deep tones of rejoicing; the ransomed themselves shall lead

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